

MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, March 20, 2001
Tuesday, 9:06 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Cole, Lambke, Martz, Pisciotte, Rogers; present. *Council Member Gale absent.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

Richard Taylor, Baha'i, gave the invocation.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

*Council Member Gale present.

Minutes -- approved

The minutes of the regular meeting of March 6, 2001, were approved 7 to 0.

AWARDS AND PRESENTATIONS

GRANT AWARD

A Kansas Department of Wildlife and Parks Grant Award was presented to the Park and Recreation Department.

PUBLIC AGENDA

Paul A. Miller – Water Quality.
Withdrawn from the Agenda.

Janet L. Miller – Day-Reporting Center/Twin Lakes Shopping Center.

Janet L. Miller

Janet Miller, 1102 Jefferson, spoke regarding parolee day-reporting centers.

Ms. Miller said, "...The Department of Corrections did not say then, and has not said since, that it has taken the Twin Lakes site off the table. At this point, because there has not been an official ruling by our Board of Zoning appeals, the Twin Lakes site is still technically an approved site and the Department of Corrections is at liberty to proceed with its plans should it decide to do so.

"On April 24th, the BZA will hear an appeal filed against that zoning approval. I would ask that each of you contact your appointed representative on the BZA, if you haven't already, and ensure that they have a thorough understanding of what a parolee day-reporting is, what function it serves, and why one should not be located in Twin Lakes shopping center in General Office zoning. If the BZA does not overturn the initial zoning classification, the Department of Corrections will be free to locate its facility at Twin Lakes in General Office zoning. Judging from the Council's decisive action in February, I don't think that's what you collectively believe should be allowed to happen.

"And that brings me to my third point, which has to do with zoning. The City Council wisely established an appropriate zoning classification for Alternative Correctional Houses in which court-supervised and paroled convicts reside. It logically follows that facilities that serve not just court-supervised and paroled individuals, but those who have actually violated their parole (and would

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otherwise be returned to prison), should also have a designated zoning classification. However, we presently do not have such a designated classification.

"To be sure we all understand parolee day-reporting centers let me recap their definition briefly. They are alternatives to prison for paroled convicts who have violated their parole. The RFP issued by the Department of Corrections soliciting vendors to operate day-reporting centers describes these centers as providing "highly structured non-residential programs of intervention, supervision and programming to condition violators who otherwise would be revoked and returned to prison." It further states that day-reporting centers "should not be near or adjacent to day care centers, public parks and recreation areas, taverns or private clubs, adult entertainment facilities, public schools or residences for individuals suffering from developmental, physical or mental disabilities." The offenders will be required to wear monitoring ankle bracelets in an effort to keep track of them.

"Does common sense tell us that these are individuals who should be housed 15 hours a day in General Office zoning?" Yet that is exactly what our current zoning ruling permits. For the health and welfare of our community, this absolutely must be changed. We must establish an appropriate zoning classification--the particular use of these new day-reporting centers."

"I want to make you aware that a new proposed location for this day-reporting center is about to be put forth for approval before such a zoning classification has been determined. The zoning of the new proposed location may be the very same as the Twin Lakes site. It's just in a different City Council district and in a different neighborhood. Approving a new site in the same or similar zoning as the Twin Lakes site would be very shortsighted and atypical of this Council. We all know that the future of community corrections is going in the direction of more, not fewer, community corrections facilities such as these day-reporting centers."

Ms. Miller asked that the City Council:

- 1) Do whatever necessary to see that the Board of Zoning Appeals overturns the zoning approval of the Twin Lakes site, and
- 2) Not allow the Department of Corrections to be in the City's hand on the location of this parolee day-reporting center. Require that an appropriate zoning classification be designated before approving a parolee day-reporting center location anywhere in the City of Wichita.

Council Member Cole	Council Member Cole asked that this matter be referred to Staff to have an appropriate zoning category considered with changes to zoning Code.
Motion -- -- carried	Knight moved that Council send letter to BZA requesting overturn of request. Motion carried 6 to 1. Rogers, no.
OFF AGENDA ITEM	<u>Recognition of Jack Brown, Environmental Health.</u>
Motion -- carried	Knight moved that the rules be set aside and an Item be taken up off the Agenda. Motion carried 7 to 0.
Council Member Martz	Council Member Martz explained that Jack Brown, Environmental Health Director, was invited to address a Congressional Subcommittee on Water Resources and Environment, relative to Brownfield Redevelopment. It is a credit to Jack and the City of Wichita to have an expert in this field that even the Congress recognizes as an expert.

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UNFINISHED BUSINESS

SSMID

ORDINANCE ESTABLISHING A DOWNTOWN SELF-SUPPORTED MUNICIPAL IMPROVEMENT DISTRICT. (Districts I and VI)

Gary Rebenstorf

Director of Law reviewed the Item.

Agenda Report No. 01-0067B.

On January 23, 2001, the Wichita City Council held a public hearing on the establishment of a Self-Supported Municipal Improvement District (SSMID) for downtown Wichita. State law requires that a public hearing be conducted by the City Council, pursuant to a Notice that is mailed to all property owners in the proposed District. After 30 days following the public hearing, the City Council may adopt an ordinance establishing the SSMID and establishing the terms/conditions for its operation, governance, financing and termination. The ordinance was placed on first reading by the City Council at its meeting on February 27, 2001, pending verification of a protest petition that was received. The Ordinance is now scheduled for second and final reading/approval.

By law, the ordinance establishing the SSMID cannot be adopted if the City Clerk receives a protest petition prior to final adoption of the ordinance, signed by at least 40% of the owners of property within the proposed SSMID; or by property owners whose property comprises at least 40% of the assessed valuation of all property within the proposed district. On February 26, the City Clerk received 190 separate petitions, purporting to be signed by property owners in the SSMID area. Since that date, a total of nine additional petitions have been submitted.

A thorough process was carried out for verification of the sufficiency of petitions, without challenging the validity of any signatures or disqualifying any petition signers. Attention was focused instead on determining the total number of owners of property in the proposed SSMID area and the total assessed value of property belonging to petition signers. Based on this research, it has been found that the signatures presented in the petitions represent less than 40% of all owners of property and ownership of less than 40% of the assessed valuation of all property within the SSMID.

Therefore, based on Kansas Statutes, the protest petitions are not sufficient to legally invalidate the implementation of the Ordinance establishing a Downtown Improvement District.

If the SSMID ordinance is adopted, assessments not to exceed 10 mills will be levied against all taxable property in the SSMID area, collected by the County Treasurer and distributed to the City along with property taxes. Based on a preliminary budget of \$426,000, the SSMID assessment rate would be 8.4 mills. A property with a County appraised value of \$500,000 would be assessed \$1,052.

It is the opinion of the City Attorney that the petitions submitted to the City Clerk, protesting the establishment of the SSMID, are not sufficient to legally block the adoption of the SSMID ordinance.

Gary Rebenstorf

Director of Law said, "On the 27th of February, the City Council adopted the establishment of this Improvement District, subject to verification of a protest petition that was filed one day before, on February 26th. The state law provides for a protest petition relating to the establishment of this Improvement District; and it provides that the establishment of the district cannot go forward if there's a petition signed by at least 40 percent of the owners of property within the district, or by property owners whose property comprises at least 40 percent of the assessed valuation of all the property; and as I indicated, on the 26th of February, a protest petition was filed. That protest petition was examined by Mr. Allen Bell and Staff, and he made a determination. He made certain assumptions as to determining the validity of the petition, and in reviewing the signatures. He obtained the necessary information from the Assessor's office, from the County Clerk's office, and then proceeded to review the petitions in light of all the information that was available. His, and I must say, that his review and counting of the petition signatures was very generous. He gave all benefits of any doubt to the petition signatures. His final method of dealing with this was to have the petitions submitted at the highest percentage level that he could find, and so that, again, in giving all of any benefit of any doubt to the petitions.

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“What he found was that the petitions were not sufficient. There was only 34.64 percent of all owners of property that had signed petitions; and that the petitions weren't necessarily submitted under the assessed valuation proposal or part of the Statutes, but he also looked at that to see if there was anyway that the petition met the 40 percent standard under the assessed valuation portion and he found that it only met a percentage of 26.4 percent.

“After Mr. Bell finished his review and evaluation of the petitions, I had members of my legal Staff review his process, review it in the light of the statutory requirement, and based upon the review by the City Attorney's office, it is my legal opinion that the review process followed the Statute as appropriate in all manner. And again, I would emphasize that in his process, Mr. Bell was more than generous to the petitions, in trying to determine what percentage there actually was. So I, again, say that it's my legal opinion that the process that he followed complied with the law. The petition is insufficient to stop or withdraw the establishment of the improvement district. Therefore, the Council can approve the findings of fact that pertain to the petition not being sufficient. It can adopt the Resolution, and it can approve the second reading of the Ordinance.

“Now, if you have any questions about the details and the minutia of the way the petition was evaluated - Doug Mosier was one of the attorneys in my office who was participating in that review. That he can answer those technical questions if you have any.”

Mayor Knight

Mayor Knight said it was his understanding, at the direction from the City Manager, that there was an extreme amount of caution and attention given to this matter. “I also realize, in serving with my colleagues, that there are mixed views on this. However, I want to try to summarize my views, because I think it has been my participation that has perhaps created some of the problems that we're trying to confront today.

“I don't think that there can be any doubt in the Council's mind about the importance of down-town revitalization to the City of Wichita and to this Wichita City Council and City Councils that preceded us. In the last ten years, the City has committed somewhere around \$150 Million Dollars to enhance our down town. Our colleagues on the Sedgwick County Commission have also made significant contributions. These investments, I think, have made a un-deniable difference. Projects like the Eaton Place, Exploration Place, the Hyatt, the Ice Rink, Old Town, two-way Main Street, Douglas Avenue, Streetscape, and the list could go on and on. I think it created an atmosphere and an opportunity for true rebirth in the Core Area. What is needed now is a mechanism for participation of down town businesses and property owners in this renaissance. Government cannot, and government should not be the only catalyst in this endeavor. Private interest need to build on the foundation the City has been laying by reinvesting in down town. This Self-Supporting Management Investment District is the mechanism proposed by down town business leaders. Not the Wichita City Council.

“Make no mistake, this project is, and this project will continue to be a private sector initiative. Irrespective of what some misguided people are talking about. The ideas contained in the proposed SSMID business plan are those of businessmen and businesswomen, who have brought this plan forward. The budget is their budget, not our budget. The private sector is proposing a process of independent government that will insure maximum private control over the amount of fund-raising by the SSMID and how it will be used. I fully support this approach and appreciate their determination that this won't become just another government program. I very much support the way they've gone about trying to accomplish this. It's no secret that I would have preferred the mechanism that was based on voluntary participation, and I was previously led to believe that that was possible. I now realize that this was not realistic, and I believe that the proposed SSMID is the only realistic way for down town businesses to organize and participate meaningful in the efforts to revitalize downtown Wichita. For anyone who is suggesting, seriously, that there should be another vote, or another petition drive on this, I strongly disagree. Again, two or three years ago, a large group of volunteers sacrificed their time, their energy and their money to collect signatures from over 60 percent of the property owners in the SSMID area. The only reason, in my judgment, that that effort did not result in the SSMID being approved was my misguided opposition. If my colleagues support what is being proposed, I believe that in the very near future, we're going to see real measurable, tangible, progress. And so I would strongly urge my friends on this Council to support this vote.”

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Council Member Cole Council Member Cole stated that she owns business property, and will be paying taxes, both on her residence and business property as a result of this vote. "I concur that it is time and that it was the intent in 1998, and the intent today that business people, that the private sector essentially, from the public sector the direction of the leadership, the focus of what is going to happen in downtown. I would assume, although, I'm not going to be around, that that board of directors would certainly be working in tandem with government. Government will have, as I understand it, a representative on that board. But, I have seen this from the very beginning, and I concur with the Mayor that it's time that the leadership and the focus shift to the private sector. And, I as one individual here, and one property owner, am most happy to have the opportunity to pay that tax to support that effort and participate in moving downtown revitalization into another phase."

Mayor Knight "Again, I would just mention for the benefit of those that monitor our proceedings, that there are specific rules that govern our action on this issue, and I've been advised by our Director of Law and others that we have followed very closely those rules."

Motion -- Knight moved that the Findings of Fact be adopted; the Ordinance be placed on second reading and -- carried adopted; and the Resolution be adopted. Motion carried 5 to 2. Lambke and Gale, No.

ORDINANCE NO. 44-895

An Ordinance authorizing and providing for the establishment of the downtown Wichita Self-Supported Municipal Improvement District pursuant to K.S.A. 12-1794 Et Seq.; providing for the boundaries, terms, and powers thereof; and creating Section 2.12 of the Code of the City of Wichita, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 5 to 0. Yeas: Cole, Martz, Pisciotte, Rogers, Knight. Nays: Gale, Lambke

RESOLUTION NO. 01-112

A Resolution of the Governing Body of the City of Wichita, Kansas, designating the boundaries of the Central Business District of the City of Wichita, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Martz, Pisciotte, Rogers, Knight. Nays: Gale, Lambke.

NEW BUSINESS

PAVING 24TH ST.

PUBLIC HEARING - PAVING 24TH STREET NORTH BETWEEN HOOD AND PAYNE. (District VI)

Mike Lindebak City Engineer reviewed the Item.

Agenda Report No. 01-0361.

On January 8, 2001, District VI Advisory Board sponsored a neighborhood meeting on paving 24th Street North, between Hood and Payne. Previous attempts to obtain a valid paving Petition have not been successful. The District Advisory Board recommended that the City Council order in the paving project.

24th Street North is a sand road serving a neighborhood comprised predominately of single-family homes.

The estimated project cost is \$35,000 with the total assessed to the improvement district. The proposed method of assessment is the square foot basis. The estimated rate of assessment to individual properties is \$00.22 per square foot of ownership.

State Statutes provide the authority for the City Council to order in the paving.

Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.

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Motion --
-- carried

Cole moved that the Project and Petition be approved; the Resolution be adopted; and the Staff Screening and Selection Committee be authorized to select a design engineer. Motion carried 7 to 0.

RESOLUTION NO. 01-104.

Resolution of findings of advisability and Resolution authorizing improving of 24th Street North from the east line of Hood to the west line of Payne 472-83331, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Cole moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

PAVING 24TH ST.

PUBLIC HEARING - ON PAVING 24TH STREET NORTH BETWEEN PAYNE AND SALINA. (District VI) Motion

Mike Lindebak

City Engineer reviewed the Item.

Agenda Report No. 01-0362.

On January 8, 2001, District VI Advisory Board sponsored a neighborhood meeting on paving 24th Street North, between Payne and Salina. Previous attempts to obtain a valid paving Petition have not been successful. The District Advisory Board recommended that the City Council order in the paving project.

24th Street North is a sand road serving a neighborhood comprised predominately of single-family homes.

The estimated project cost is \$35,000 with the total assessed to the improvement district. The proposed method of assessment is the square foot basis. The estimated rate of assessment to individual properties is \$00.22 per square foot of ownership.

State Statutes provide the authority for the City Council to order in the paving.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --
-- carried

Knight moved that the Project and Petition be approved; the Resolution be adopted; and the Staff Screening and Selection Committee be authorized to select a design engineer. Motion carried 7 to 0.

RESOLUTION NO. 01-105

Resolution of findings of advisability and Resolution authorizing improving of 24th Street North from the east line of Payne to the west line of Salina 472-83332, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Cole moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

STREET IMP.

21ST STREET NORTH IMPROVEMENT – 119TH STREET WEST TO MAIZE ROAD. (District V)

Mike Lindebak

City Engineer reviewed the Item.

Agenda Report No. 01-0363.

The 2001 Capital Improvement Program includes funding to improve 21st Street North between 119th Street West and Maize. District V Advisory Board sponsored a March 5, 2001 neighborhood hearing on the project. The Board recommended approval of the project with the request that Staff determine whether additional traffic control measures at the 119th/21st intersection are warranted.

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The project consists of reconstructing 21st Street to provide four through lanes and with center left turn lanes. Based on current and projected traffic patterns, it is recommended that the 21st/119th intersection be controlled with four-way stop signs and flashing red lights. Construction is expected to begin in late summer and be completed in the spring of 2002.

It is expected that two-way traffic flow can be maintained throughout the majority of the construction period. However, during the construction of several drainage structures it will likely be necessary to close 21st to through traffic for a short period of time. Staff recommends that the City Council approve the short-term closure.

The project budget is \$3,100,000. The funding source is General Obligation Bonds and Federal Funds administered by the Kansas Department of Transportation.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --
-- carried

Martz moved that the project (including the 4-way stop) and short-term street closure be approved; and the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance declaring 21st Street North, between 119th Street West and Maize Road, 472-83364, to be a main traffic way within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main traffic way; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, introduced and under the rules laid over.

INTERSECTION IMP. 21ST AND ROCK ROAD INTERSECTION IMPROVEMENTS. (District II)

Agenda Report No. 01-0634.

The Capital Improvement Program includes an ongoing program to relieve traffic congestion in the Rock Road Corridor (CIP No. MS-200004, page 48). One element of the program is improvements to the intersection of Rock Road at 21st Street. On December 19, 2000, the City Council held a public hearing on the design plan for the intersection. The Council approved the plan subject to further discussions with businesses in the area regarding providing an eastbound left turn opening in the proposed median on 21st near the McDonald's site. On January 17, 2001, City Engineer's Office Staff met with affected property owners. At the conclusion of the meeting with the owners of McDonald's support was indicated for the design concept that includes a median opening.

The design plan includes street widening and access modifications (non-mountable median) on Rock Road between Rockhill and 21st and 1000' east and west of Rock on 21st. A median opening will be provided to allow eastbound traffic on 21st to turn left into the major drive entrance on the east side of the McDonald's site. The plan without a median opening improves traffic safety and traffic flow on 21st Street, but it does require eastbound traffic to access McDonald's through the traffic signal approximately at 350 feet east of the current McDonald access.

The CIP budget for the improvement is \$2,000,000. The funding source is a combination of General Obligation Bonds, and Federal grants administered by the Kansas Department of Transportation.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --
-- carried

Pisciotte moved that the design concept be approved and completion of the construction plans be authorized. Motion carried 7 to 0.

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SPECIALS

PROPOSED ASSESSMENTS FOR 24 PAVING PROJECTS IN JULY 2001 BOND SALE, SERIES 766.

Agenda Report No. 01-0365.

The Council was notified on February 6, 2001, that the proposed assessment rolls were on file for public inspection in the Debt Management Section of the Finance Department.

Notice of hearing was published February 9, 2001 ten days prior to the date of hearing, and affected property owners have been notified in writing. City personnel held an informal hearing February 26, 2001, for the paving projects.

Statements of Special Assessment will be mailed to the property owners on March 30, 2001. The property owners have 30 days from date of statement to pay their assessment and avoid paying interest. The assessments not paid during this period will be in the July 2001 Bond Sale and put on the 2001 tax roll over a 15-year spread at the interest rate for which the bonds sell.

These projects were initiated pursuant to provisions of K.S.A. 12-6a01 et seq. All were 100% petitions with the exception of:

Paving Projects:

Project No.:

472-82404		Ordered in by City Council - Alley between Broadway and Topeka
472-82851		Ordered in by City Council - Patterson
472-83079	50.5%	Petition – Holyoke
472-83085	59.6%	Petition – Walnut
472-83086	52.7%	Petition – Barbara
472-83100	57.9%	Petition – Brentwood
472-83121	72.7%	Petition – Holyoke
472-83129	53.3%	Petition – Bebe and Irving

a. (490-600/764985/472-82276) – Improving of the west half of Lark from the south line of Park Glen Addition to the south line of Grant and concrete Sidewalk on the west side of Lark, (north of Pawnee, west of Lark), as authorized by Resolution No. R-92-567, adopted October 20, 1992, and published October 23, 1992. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 18, 2000 in the amount of \$95,593.00, and Amended Statement of Cost approved January 9, 2001 in the amount of \$91,493.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

b. (490-708/765597/472-82385) – Improving of Pawnee Court to serve Lots 1 through 12, Block 1, Wilderness at the Park Addition, (south of Pawnee, east of Maize), as authorized by Resolution No. R-99-202, adopted June 8, 1999, published June 11, 1999, republished July 21, 1999; and Rescinding Resolution No. R-00-045, adopted February 8, 2000, published February 11, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 12, 2000 in the amount of \$83,511.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

c. (490-328/762252/472-82404) - Improving of an Alley between Broadway and Topeka from the north line of English to the south line of William, English Addition (south of William, east of Broadway), as authorized by Resolution Directing and Ordering No. R-93-473, adopted November 23, 1993, published November 26, 1993; and Resolution No. R-93-501, adopted December 14, 1993, published December 17, 1993. This improvement was ordered in by the City Council. The Statement of Cost approved December 12, 2000 in the amount of \$73,515.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a square foot basis.

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- d. (490-379/762765/472-82504) - Improving of Suncrest from the west line of Westridge Village Addition to the west line of Holland Lane to serve Lots 7 through 13, Block E, Westridge Village Addition (west of Ridge, north of 13th Street North), as authorized by Resolution No. R-94-433, adopted October 25, 1994, and published October 28, 1994. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 12, 2000 in the amount of \$47,694.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.
- e. (490-731/765620/472-82812) - Improving of Regency Lakes, Mainsgate, Brandon, Regency Lakes Court, Mainsgate Court, Brandon Circle (north of 21st Street North, west of Greenwich Road), as authorized by Resolution No. R-97-107, adopted April 15, 1997, and published April 18, 1997. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 12, 2000 in the amount of \$397,639.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.
- f. (490-727/765616/472-82831) - Improving of Maple Dunes Courts adjacent to Lots 9 through 17, Block 4, Maple Dunes Addition (north of Maple, east of 135th Street West), as authorized by Resolution No. R-97-217, adopted July 1, 1997, and published July 7, 1997. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 12, 2000 in the amount of \$47,604.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.
- g. (490-714/765603/472-82834) - Improving of Oak Ridge Circle from the east line of Tyler to include the cul-de-sac, serving Lots 2 through 14 inclusive, Block 1 (north of 29th Street North, east of Tyler), as authorized by Resolution No. R-97-261, adopted July 15, 1997, and published July 18, 1997. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 12, 2000 in the amount of \$99,454.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.
- h. (490-541/764381/472-82851) - Improving of Patterson from Broadway to the east line of Henry Jones Addition (south of 31st Street South, west of Broadway), as authorized by Resolution No. R-97-135, adopted May 20, 1997, published May 23, 1997 and republished December 19, 2000. This improvement was ordered in by the City Council. Statement of Cost approved December 12, 2000 in the amount of \$106,766.00 is to be apportioned \$30,000.00 payable by Storm Water Utility and \$103,000.00 payable by the improvement district. The cost has been assessed on a square foot basis.
- i. (490-596/764944/472-82904) - Improving of 151st Street West from the north line of US Highway 54, north to the north line of Hendryx (north of Kellogg, east of 151st Street West), as authorized by Resolution No. R-98-040, adopted February 10, 1998, published February 13, 1998 and; Amending Resolution No. R-00-391, adopted November 7, 2000, published November 13, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 11, 2000 in the amount of \$211,010.00, and Amending Statement of Cost approved January 9, 2001 in the amount of \$215,381.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.
- j. (490-599/764977/472-82936) - Paving of Lark from the north line of Pawnee to the north line of Lot 7, Block 5 (north of Pawnee, west of Maize), as authorized by Resolution No. R-98-134, adopted April 14, 1998, and published April 17, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 18, 2000 in the amount of \$99,007.00, and Amended Statement of Cost approved January 9, 2001 in the amount of \$105,005.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.
- k. (490-681/765570/472-83073) - Improving of Zelta/Laguna, Laguna Court, Zelta Courts, and; Sidewalk on the west and north sides of Zelta/Laguna from the north line of Lincoln to the east line of Lot 18, Block 1, Woodland Lakes Estates 2nd Addition (north of Harry, east of Greenwich), as authorized by Resolution No. R-99-087, adopted March 2, 1999, and published March 5, 1999. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The

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Statement of Cost approved December 12, 2000 in the amount of \$430,645.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

l. (490-723/765612/472-83076) - Improving of Georgia, Gilda, 42nd Street South, and Sidewalk, all in Wheatland Addition (south of MacArthur, west of Hoover), as authorized by Resolution No. R-99-093, adopted March 16, 1999, and published March 19, 1999. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 12, 2000 in the amount of \$122,006.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

m. (490-682/765571/472-83079) - Improving of Holyoke, from the north line of 25th Street North to the south line of 26th Street North (south of 29th Street North, east of Hillside), as authorized by Resolution No. R-99-083, adopted March 2, 1999, and published March 5, 1999. Petition for this improvement was signed by owners representing 50.5 percent of the property ownership. The Statement of Cost approved December 12, 2000 in the amount of \$85,251.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a square foot basis.

n. (490-686/765575/472-83085) - Improving of Walnut, from the north line of Barbara to 458' north of Barbara (north of 31st Street South, east of Seneca), as authorized by Resolution No. R-99-090, adopted March 16, 1999, and published March 19, 1999. Petition for this improvement was signed by owners representing 59.6 percent of the property ownership. The Statement of Cost approved December 19, 2000 in the amount of \$60,020.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a front foot basis.

o. (490-687/765576/472-83086) – Improving of Barbara, from the east line of Seneca to the west line of Osage to serve F.A. Brown's Addition; Heersche's Replat; Taton Addition; Gold's Addition; Sedona Addition and Palin Addition, (north of 31st Street South, east of Seneca), as authorized by Resolution No. R-99-089, adopted March 16, 1999, published March 19, 1999; and republished May 11, 2000. Petition for this improvement was signed by owners representing 52.7 percent of the property ownership. The Statement of Cost approved December 19, 2000 in the amount of \$151,668.00 is to be apportioned 92 percent payable by the improvement district and 8 percent payable by the City-at-Large. The cost has been assessed on a square foot basis.

p. (490-706/765595/472-83100) - Improving of Brentwood from the north line of Clark to the south line of Mt. Vernon (north of Pawnee, east of Hillside), as authorized by Resolution No. R-99-291, adopted August 3, 1999, and published August 6, 1999. Petition for this improvement was signed by owners representing 57.9 percent of the property ownership. The Statement of Cost approved December 12, 2000 in the amount of \$65,981.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a square foot basis.

q. (490-710/765599/472-83107) - Improving of Chateau, Mount Vernon, Smithmoor Street, Leeanne Lane, Smithmoor Ninth Addition (south of Harry, west of Greenwich), as authorized by Resolution No. R-99-235, adopted June 15, 1999, published June 18, 1999, and republished December 19, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 12, 2000 in the amount of \$276,272.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

r. (490-701/765590/472-83121) - Improving of Holyoke from the north line of 26th Street North to the south line of 27th Street North (south of 29th Street North, east of Hillside) as authorized by Resolution No. R-99-214, adopted June 15, 1999, and published June 18, 1999. Petition for this improvement was signed by owners representing 72.7 percent of the property ownership. The Statement of Cost approved December 19, 2000 in the amount of \$74,700.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a square foot basis.

s. (490-705/765594/472-83129) - Improving of Bebe and Irving from the north line of Walker to the west line of Anna (north of Harry, east of Hoover), as authorized by Resolution No. R-99-264, adopted July 13, 1999, and published July 16, 1999. Petition for this improvement was signed by owners representing 53.3 percent of the property ownership. The Statement of Cost approved December 19,

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2000 in the amount of \$211,564.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a square foot basis.

t. (490-725/765614/472-83183) - Improving of Hickory Creek, Harvest Lanes, Harvest Lane Courts, and including the cul-de-sac, to serve Hickory Creek Addition (south of 13th, west of 119th Street West), as authorized by Resolution No. R-00-015, adopted January 25, 2000, and published January 28, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 12, 2000 in the amount of \$312,358.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

u. (490-729/765618/472-83187) - Improving of 36th Street North, from the east line of Lot 7, Block 1 to the west line of Ridgewood, and on Ridgewood, from the south line of 37th Street North to the south line of 36th Street North (east of Oliver, south of 37th Street North), as authorized by Resolution No. R-00-049, adopted February 8, 2000, and published February 11, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 12, 2000 in the amount of \$269,717.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

v. (490-728/765617/472-83189) - Improving of Jewell Circle, from the west line of Lot 24, Block 1 to and including cul-de-sac; Rita, from the south line of Jewell Circle to the west line of Maize Road; and Rita Court, from the south line of Rita to and including cul-de-sac (north of Pawnee, west of Maize), as authorized by Resolution No. R-00-037, adopted February 1, 2000, and published February 4, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 12, 2000 in the amount of \$146,958.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

w. (490-743/765632/472-83231) - Improving of Decel and Left Turn Lanes in 21st Street North from the northwest corner of Lot 1, Block 1 (south of 21st, west of Webb), as authorized by Resolution No. R-00-224, adopted May 16, 2000, and published May 19, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 12, 2000 in the amount of \$112,984.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

x. (490-749/765638/472-83242) - Improving of Limuel Circle from the north line of the plat, south to and including the cul-de-sac (south of Maple, east of 135th Street West), as authorized by Resolution No. R-00-240, adopted June 6, 2000, and published June 9, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 12, 2000 in the amount of \$46,904.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --
-- carried

Knight moved that public hearing be closed; the assessments be approved; and the Ordinances be placed on first reading. Motion carried 7 to 0.

(At 11:00 a.m., the Council reconsidered this Item.)

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --
-- carried

Knight moved that public hearing be closed; the assessments be approved; and the Ordinances be placed on first reading. Motion carried 7 to 0.

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- a. (490-600/764985/472-82276)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of the west half of Lark from the south line of Park Glen Addition to the south line of Grant and concrete Sidewalk on the west side of Lark - north of Pawnee, west of Lark, introduced and under the rules laid over.

- b. (490-708/765597/472-82385)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving of Pawnee Court to serve Lots 1 through 12, Block 1, Wilderness at the Park Addition - south of Pawnee, east of Maize, introduced and under the rules laid over.

- c. (490-328/762252/472-82404)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of an Alley between Broadway and Topeka from the north line of English to the south line of William, English Addition - south of William, east of Broadway,

- d. (490-379/762765/472-82504)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Suncrest from the west line of Westridge Village Addition to the west line of Holland Lane to serve Lots 7 through 13, Block E, Westridge Village Addition - west of Ridge, north of 13th Street North, introduced and under the rules laid over.

- e. (490-731/765620/472-82812)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Regency Lakes, Mainsgate, Brandon, Regency Lakes Court, Mainsgate Court, Brandon Circle - north of 21st Street North, west of Greenwich Road, introduced and under the rules laid over.

- f. (490-727/765616/472-82831)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Maple Dunes Courts adjacent to Lots 9 through 17, Block 4, Maple Dunes Addition - north of Maple, east of 135th Street West, introduced and under the rules laid over.

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g. (490-714/765603/472-82834)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Oak Ridge Circle from the east line of Tyler to include the cul-de-sac, serving Lots 2 through 14 inclusive, Block 1 - north of 29th Street North, east of Tyler, introduced and under the rules laid over.

h. (490-541/764381/472-82851)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Patterson from Broadway to the east line of Henry Jones Addition - south of 31st Street South, west of Broadway, introduced and under the rules laid over.

i. (490-596/764944/472-82904)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of 151st Street West from the north line of US Highway 54, north to the north line of Hendryx - north of Kellogg, east of 151st Street West, introduced and under the rules laid over.

j. (490-599/764977/472-82936)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of paving of Lark from the north line of Pawnee to the north line of Lot 7, Block 5 - north of Pawnee, west of Maize, introduced and under the rules laid over.

k. (490-681/765570/472-83073)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Zelta/Laguna, Laguna Court, Zelta Courts, and; Sidewalk on the west and north sides of Zelta/Laguna from the north line of Lincoln to the east line of Lot 18, Block 1, Woodland Lakes Estates 2nd Addition - north of Harry, east of Greenwich, introduced and under the rules laid over.

l. (490-723/765612/472-83076)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Georgia, Gilda, 42nd Street South, and Sidewalk, all in Wheatland Addition - south of MacArthur, west of Hoover, introduced and under the rules laid over.

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m. (490-682/765571/472-83079)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Holyoke, from the north line of 25th Street North to the south line of 26th Street North - south of 29th Street North, east of Hillside, introduced and under the rules laid over.

n. (490-686/765575/472-83085)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Walnut, from the north line of Barbara to 458' north of Barbara - north of 31st Street South, east of Seneca, introduced and under the rules laid over.

o. (490-687/765576/472-83086)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Barbara, from the east line of Seneca to the west line of Osage to serve F.A. Brown's Addition; Heersche's Replat; Taton Addition; Gold's Addition; Sedona Addition and Palin Addition, - north of 31st Street South, east of Seneca, introduced and under the rules laid over.

p. (490-706/765595/472-83100)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Brentwood from the north line of Clark to the south line of Mt. Vernon - north of Pawnee, east of Hillside, introduced and under the rules laid over.

q. (490-710/765599/472-83107)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of i - Improving of Chateau, Mount Vernon, Smithmoor Street, Leeanne Lane, Smithmoor Ninth Addition - south of Harry, west of Greenwich, introduced and under the rules laid over.

r. (490-701/765590/472-83121)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Holyoke from the north line of 26th Street North to the south line of 27th Street North - south of 29th Street North, east of Hillside, introduced and under the rules laid over.

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s. (490-705/765594/472-83129)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Bebe and Irving from the north line of Walker to the west line of Anna - north of Harry, east of Hoover, introduced and under the rules laid over.

t. (490-725/765614/472-83183)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Hickory Creek, Harvest Lanes, Harvest Lane Courts, and including the cul-de-sac, to serve Hickory Creek Addition - south of 13th, west of 119th Street West, introduced and under the rules laid over.

u. (490-729/765618/472-83187)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of 36th Street North, from the east line of Lot 7, Block 1 to the west line of Ridgewood, and on Ridgewood, from the south line of 37th Street North to the south line of 36th Street North - east of Oliver, south of 37th Street North, introduced and under the rules laid over.

v. (490-728/765617/472-83189)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Jewell Circle, from the west line of Lot 24, Block 1 to and including cul-de-sac; Rita, from the south line of Jewell Circle to the west line of Maize Road; and Rita Court, from the south line of Rita to and including cul-de-sac - north of Pawnee, west of Maize, introduced and under the rules laid over.

w. (490-743/765632/472-83231)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Decel and Left Turn Lanes in 21st Street North from the northwest corner of Lot 1, Block 1 - south of 21st, west of Webb, introduced and under the rules laid over.

x. (490-749/765638/472-83242)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Limuel Circle from the north line of the plat, south to and including the cul-de-sac - south of Maple, east of 135th Street West, introduced and under the rules laid over.

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MIDTOWN STREETS **TWO-WAY MIDTOWN STREETS:** (District VI)

Agenda Report No. 01-0366.

A traffic impact study for the two-way conversion of Mid-Town streets was completed in December 2000. The results of the study were presented to the District VI Advisory Board on January 17, 2001. The DAB heard neighborhood comments and staff answered questions, however, no action was taken. The board discussed the conversion at its February 20, 2001 meeting and voted to approve the conversion.

The area of study involved three Mid-Town streets from Central to 17th Street: Topeka, Emporia and St. Francis. These streets were originally built as two-way streets, but were converted to one-way streets in the 1950's to provide additional capacity on streets leading to the Central Business District.

The District VI Advisory Board recommended the streets be returned to two-way. Conversion of the streets to two-way would provide less confusion to new traffic in the area (i.e. visitors to Via Christi St. Francis), reduce speed through residential neighborhoods, and provide easier ingress/egress to the neighborhood.

The estimated cost to convert the streets from one-way to two-way is approximately \$550,000 to \$1.2 million dependent upon the extent of pavement and traffic signal modifications.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Discussion was had and requests were made for the following additional information for the Hearing:

1. Historical background on when and why these were made two way streets.
2. Historical background regarding the hospital requested modifications.
3. Who and what were the reasons for deciding to evaluate these to make the change to one-way.
4. Cost to modify.

Motion -- carried

Cole moved that the public hearing be set for March 27, 2000. Motion carried 7 to 0.

MAIN STREET **TWO-WAY MAIN STREET.** (District VI)

Agenda Report No. 01-0367.

The Capital Improvement Program includes funding to design and construct/convert Main Street, from Douglas to Murdock, from one-way to two-way. Prior to proceeding with the design of the project, the firm of HWS was employed to study the section from Douglas to 17th Street North. HWS and City staff presented findings of the study to District Advisory Board VI and neighborhood residents and property owners on January 17, 2001. Residents north of 13th voiced their desire to retain Park Place (Main Street) as one-way north of 13th. No action was taken after hearing the presentation and neighborhood input. The District VI Advisory Board met again on February 20, 2001 to review the information provided at the earlier meeting and voted to support the conversion.

Staff recommends a public hearing be set for March 27, 2001 to receive additional neighborhood input on the proposed conversion. District VI Advisory Board recommended Main Street be converted from Douglas to 13th Street to accommodate two-way traffic. The conversion would allow additional ingress/egress into the Central Business District. Adjacent property owners and residents will be invited to attend the meeting.

The current Capital Improvement Program contains \$2.515 million for the conversion of Main Street from Douglas to Murdock. However, it is estimated that the total cost will likely be significantly more than what it currently budgeted. Additional cost information will be provided for the proposed March 27, 2001 public discussion on this project.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

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Motion -- carried

Cole moved that the public hearing be set for March 27, 2000. Motion carried 7 to 0.

**FRIENDS UNIV.
NEWMAN UNIV.**

INTERLOCAL AGREEMENT TO PARTICIPATE IN THE KANSAS INDEPENDENT COLLEGE FINANCE AUTHORITY.

Ray Trail

Director of Finance reviewed the Item.

Agenda Report No. 01-0368.

The Kansas Independent College Association (KICA) was formed (in 1988) to permit independent colleges throughout Kansas to take advantage of special low-cost tax-exempt bond financing. Two Wichita-based colleges, Friends University and Newman University, were able to participate in this program because the City of Wichita entered into an interlocal agreement which permitted the City of Olathe to act as a host issuer of the bonds. A new organization, the Kansas Independent College Finance Authority (KICFA), is being formed under the auspices of the KICA. Under the new structure, bonds will be issued directly by KICFA, without using the City of Olathe as the issuer. Friends and Newman Universities have requested the City to facilitate their ability to participate in KICFA bond issues. To do so, the City must enter into a new interlocal agreement.

Under the original structure (with Olathe acting as a host issuer) the City essentially delegated its authority to issue industrial revenue bonds to the City of Olathe for the limited purpose of financing improvements to local colleges that belong to the Kansas Independent College Association. The statute that governs industrial revenue bonds does not list improvements to educational facilities as an authorized purpose. Over the years, Wichita and many other cities in Kansas have used their home rule powers to issue IRBs for educational facilities. The KICFA structure fixes a potential problem with the Olathe structure - that a city may not be able to use its constitutional home rule powers to carry out projects in another city.

Under the terms of the proposed interlocal agreement, KICFA is formed and given the powers to issue bonds to finance private independent colleges located within the jurisdictions of member cities. A city may not withdraw from membership in KICFA as long as bonds issued to finance facilities in that city remain outstanding. However, if a city gives official notice of its intent to withdraw as soon as bonds are no longer outstanding, KICFA is precluded under the interlocal agreement from issuing any additional bonds for colleges located in that city.

Newman University and Friends University have agreed to voluntarily comply with pertinent City of Wichita industrial revenue bond conditions on projects financed by KICFA. These include filing an EEO/AA plan and a water conservation plan with the City, review of building plans by the City's Design Council, contracting and procurement procedures that include minority and women-owned firms and furnishing the City with annual financial audits.

Interlocal cooperation agreements must be approved by ordinance. Before an interlocal cooperation agreement can become effective, it must be approved by the Kansas Attorney General.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard.

Mark Dreselhaus

Mark Dreselhaus, Kansas Newman, urged approval.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved, the Ordinance be placed on first reading; and the necessary signatures be authorized. Motion carried 7 to 0.

ORDINANCE

An Ordinance approving and authorizing the City of Wichita, Kansas, to enter into the first amended and restated Interlocal Cooperation Agreement with various cities in the State of Kansas, which agreement amends and restates the Interlocal Cooperation Agreement creating the Kansas Independent Finance Authority, introduced and under the rules laid over.

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TAX CREDITS

PRAIRIE VILLA COMPANY L.P., SANTO M. CANTENESE RESOLUTION OF SUPPORT OF TAX CREDITS. (District I)

Jessica Johnson

Marketing Services Director reviewed the Item.

Agenda Report No. 01-0369.

Prairie Villa Company L.P., Santo M. Cantenese, has notified the City of Wichita Housing Services Department of their Housing Tax Credit application which has been submitted to the Kansas Department of Commerce and Housing for approximately \$550,000. The project to be undertaken includes rehabilitation of 78 housing units at Prairie Villa at 5640 E. 21st Street. The apartment for elderly are occupied by 90% residents with incomes below 50% and 10% with incomes below 60%. As a Section 8 Project based project, the apartments must remain designated for low income elderly. The project involves upgrading the heating and a/c system, replacement of the roof and insulation.

In accordance with City Council Resolution No. R-95-479, the applicant agency has notified residents of the project and of the public hearing to provide comments. The Kansas Department of Commerce and Housing requires the submittal of a Resolution from the local Governing Body and approved by the Mayor. The resolution includes language to the effect that the City is in need of housing, and that the resolution will continue to be effective until the units are rehabilitated.

The resolution also requires that the notice form be approved by the Director of Housing Services. A copy of the notice has been provided, and has been deemed acceptable. The project was approved unanimously by DAB I on March 5, 2001.

Low Income Housing Tax Credits are part of the financing package for the rehabilitation of the 78 units.

The resolution also requires that the City Council shall conduct a public hearing. Upon closing the public hearing, the City Council may vote on a motion to approve the application for low-income housing tax credits.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --
-- carried

Knight moved that the letter of support for the housing tax credit application be approved; the Resolution be adopted; and the necessary signatures be authorized. Motion carried 7 to 0.

RESOLUTION NO. 01-106

A Resolution establishing support for an application for low-income tax credits as required by the State of Kansas, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

TAX CREDITS

CENTURY PACIFIC EQUITY CORPORATION, CHARLES L. SCWENNESEN; RESOLUTION OF SUPPORT FOR TAX CREDITS. (District IV)

Jessica Johnson

Marketing Services Director reviewed the Item.

Agenda Report No. 01-0370.

Century Pacific Equity Corporation, Charles L. Scwennesen, has notified the City of Wichita Housing Services Department of their Housing Tax Credit application which has been submitted to the Kansas Department of Commerce and Housing for approximately \$3.1 million. The project to be undertaken includes rehabilitation of 136 housing units at Windridge Apartments at 2502 Wildwood Lane. The apartments include 124 townhouses and 12 garden apartments and are 100% low income. As a Section 8 Project based project, the apartments must remain designated for low income. The project involves

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renovations to the common area, fire/safety improvements, energy efficiency enhancements, tenant unit improvements, and exterior improvements including replacement of 4 roofs and foundation repairs.

In accordance with City Council Resolution No. R-95-479, the applicant agency has notified residents of the project and of the public hearing to provide comments. The Kansas Department of Commerce and Housing requires the submittal of a Resolution from the local Governing Body and approved by the Mayor. The resolution includes language to the effect that the City is in need of housing, and that the resolution will continue to be effective until the units are rehabilitated.

The resolution also requires that the notice form be approved by the Director of Housing Services. A copy of the notice has been provided, and has been deemed acceptable.

Low Income Housing Tax Credits are part of the financing package for the rehabilitation of the 136 units.

The resolution also requires that the City Council shall conduct a public hearing. Upon closing the public hearing, the City Council may vote on a motion to approve the application for low-income housing tax credits.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

-- carried

Knight moved that the letter of support for the housing tax credit application be approved; the Resolution be adopted; and the necessary signatures be authorized. Motion carried 7 to 0.

RESOLUTION NO. 01-107

A Resolution establishing support for an application for low-income tax credits as required by the State of Kansas, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

WRECKER SERVICE WRECKER SERVICE CHARGES ORDINANCE.

Ray Trail

Director of Finance reviewed the Item.

Agenda Report No. 01-0371.

Mandatory charges for wrecker service calls requested by an authorized public agency are regulated by City Ordinance 3.49.130. Periodically, fee structures are reviewed and adjusted to provide for inflation and increases in business-related costs. The most recent adjustment having been authorized in 1996, several local wreckers now request the City, through legal counsel Vernon Just, to increase storage charges from \$11.00 to \$15.00 for each 24-hour period, or portion thereof. An increase is also requested in mileage charges from \$2.00 per mile to \$2.75 per mile.

The requested amounts represent a 37.5 percent increase in mandatory mileage and a greater than 36 percent increase in storage charges. Comparative outdoor storage rates in cities within the region range from \$10.00 to \$35.00 per day. Mileage rates are more difficult to compare due to additional factors including base mileage charges and variable rates dependent upon vehicle weight and/or total trip mileage.

Overall aggregate inflation from January 1996 to January 2001 (U.S. Dept. Labor, Bureau of Labor Statistics) totaled 13.41 percent. The base Consumer Price Index includes all categories except the more volatile food and energy prices. The current storage rate of \$11.00 adjusted for the 13.41 percent inflation reflected in the CPI since 1996 would stand at \$12.48. Therefore, an adjustment in storage charges to \$12.50 for each 24-hour period, or portion thereof, is defensible and would adequately compensate wrecker services for inflation since 1996.

Mileage charges linked to a gas index are much more difficult to defend in light of the high volatility of gas prices. Therefore, utilization of the same CPI factor of 13.41 percent would increase mileage charges to \$2.30 per mile and provide a consistent and stable means for adjusting mileage charges.

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Staff will initiate review of mandatory charges periodically in consideration of inflation-related factors.

Although there are no financial costs directly born by the City, owners of vehicles involved in city-initiated wrecker service calls are directly impacted by charges regulated by the City. Indirect costs to the City are limited to uncovered costs associated with vehicles towed at the City's direction, unclaimed by the owner and subsequently sold at an auction for an amount insufficient to cover all wrecker charges.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard.

Vernon Just

Vernon Just, Attorney representing the wrecker services, urged approval of the rate increase.

Council Member Pisciotte

Council Member Pisciotte said nothing warrants an increase in storage costs.

Motion -- carried

Knight moved that Ordinance be placed on first reading. Motion carried 6 to 1. Pisciotte – No.

ORDINANCE

An Ordinance amending Section 3.49.130 of the Code of the City of Wichita, Kansas, pertaining to mileage and storage fees charged by emergency wrecker companies, and repealing the original of said section, introduced and under the rules laid over.

CHANNEL 7

COMMUNITY PROGRAMMING ON CITY CHANNEL 7.

Jeanne Hernandez

Internal Auditor reviewed the Item.

Channel 7 is one of five designated cable channels that have been established in the City's cable franchise with Cox Communications for educational and governmental use. The City has one channel, USD 259 has been leased three and WSU one channel. Programming and management of the USD259 and the WSU channels are the responsibilities of those organizations.

A five-year review of the cable franchise has been recently completed. One of the recommendations from the review was to expand, where possible, educational and governmental channel resources on behalf of the community. Such channels are a valuable resource for the community to understand and access government programs and community services.

Channel 7 currently has the capacity to add additional community programming to its weekly calendar of shows and billboards being aired without negatively impacting the broadcasting of City Council meetings, City information, and County Commission meetings. The Family Health Channel (Cable Channel 55) and (UHF Channel 53) have approached the City requesting the rebroadcasting of their community based programming.

The mission statements and programming content of these stations have been reviewed to ensure that the shows are appropriate for City governmental usage, and with programming currently being aired on the City's Channel 7. The City has not fully developed framework and standards to manage additional programming developed independently of City staff. As a result, it is recommended that such programming be approved only on a trial-period basis allowing staff to develop a standard and framework to manage rebroadcasting of any community-based station programs. Standards for managing programs on channel 7 will include, but are not limited to, the following:

- ✓ Advertising
- ✓ Program content
- ✓ Program schedules
- ✓ Revenue sharing agreements
- ✓ In-kind services
- ✓ Technology logistics for the rebroadcasting of programs
- ✓ Other

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UHF, low frequency programmers, do not have a direct feed to Cox Communications. Additional capital equipment estimated at \$7,000 will need to be purchased for the rebroadcasting of any UHF-based programs.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Knight moved that Staff be authorized to establish a trial-period for an enhanced community-based programming schedule on City Channel 7 with the Family Health Channel, UHF Channel 53, and any other eligible re-broadcasting without future obligations; the Agreements be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

-- carried

HUD

2001-2002 HUD COMBINED ALLOCATIONS.

Tom Smith

Grants In-Aid Coordinator reviewed the Item.

Agenda Report No. 01-0373.

On November 7, 2000, the City Council took action to reaffirm community priorities and designated funding for priority programs and services provided by the City. Based on City Council priorities, applications were solicited for undesignated funding and for Special Program funding through competitive Request for Proposals (RFP).

The Grants Review Committee held its public hearing on February 7, 2001 to provide an opportunity for interested persons to address the Committee regarding housing and community development needs. The Committee also heard requests for undesignated HOME and ESG funding. The Grants Review Committee spent many hours in additional meetings reviewing applications and considering comments from the public.

The 2001-2002 combined HUD funding for Wichita includes: (1) Community Development Block Grant (CDBG) - \$3,911,000; (2) HOME Investments Partnership (HOME) - \$2,271,000; and (3) Emergency Shelter Grant (ESG) - \$133,700. As a result of its prior actions, the City Council has designated the following:

<u>Source</u>	<u>Designated Funding</u>	<u>Undesignated Funding</u>	<u>Total</u>
CDBG	\$3,911,000	\$ -0-	\$3,911,000
HOME	\$1,960,950	\$310,050	\$2,271,000
ESG	<u>\$ 6,650</u>	<u>\$127,050</u>	<u>\$ 133,700</u>
TOTAL	\$5,878,600	\$437,100	\$6,315,700

Community Development Block Grant

1. Reduced Funding

The actual 2001/2002 CDBG grant is \$9,000 less than originally estimated. The estimated amount (and the amount designated by the City Council) was \$3,911,000. The actual grant amount is \$3,902,000. Staff recommends utilizing \$9,000 from prior year completed project savings to provide funding for projects previously designated by the City Council.

2. Request for Proposals

A Staff Screening and Selection Committee has reviewed the Request for Proposals for: Women's Services; Youth Recreation/Enrichment; and Summer Youth Employment and made funding recommendations for each category of service.

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3. Neighborhood/Community Facilities

The City Council designated \$264,174 for Neighborhood/Community facilities. These funds were intended to be utilized either for new community facilities/buildings or for deferred maintenance on eligible City-owned facilities. The City Council should determine how these funds are to be allocated for 2001-2002.

4. Neighborhood Stabilization/Revitalization

The City Council has reserved \$350,000 to utilize in an overall neighborhood improvement strategy that would compliment Inner City Redevelopment Incentives and the approved Neighborhood Revitalization Plan. The City Council must determine the specific use(s) for this funding. Staff has proposed that these funds be used for capital improvements for Grove Park. This would permit the use of local funds to implement a Core Area Facade Improvement Loan program. The City Council may utilize this funding for any eligible CDBG purpose, except for Public Services (already at maximum allocation), subject to federal allocation limits and regulations.

In addition, approval of the recommendations under the Community Development Block Grant (CDBG) program would specifically address Inner City Redevelopment Incentives in the following areas:

Emergency Home Repair Program	\$400,000
Paint Grant Program	\$100,000
Rental Housing Low Interest Revolving Loan Program	\$200,000
Exterior Repair Program	\$100,000
Neighborhood Clean-Up	<u>\$ 12,600</u>
Total	\$812,600

HOME Investment Funds

1. Undesignated CHDO Funding

The Grants Review Committee and staff have provided funding recommendations for undesignated CHDO funding. These recommendations include funding support for: Mennonite Housing Rehabilitation Services, Inc. for proposed renovation of rental units into single family homes in the Hilltop Local Investment Area; and, Power CDC to construct additional new, scattered site, single family homes in the Northeast Local Investment Area.

2. Reduced Funding

The actual 2001/2002 HOME grant is \$2,000 less than originally estimated. The estimated amount (and the amount designated by the City Council) was \$2,271,000. Staff recommends utilizing \$2,000 from prior year completed project savings to provide funding for projects previously designated by the City Council. This also reduced the CHDO set-aside by \$300, from \$310,350 to \$310,050 (amount recommended by the Grants Review Committee). Staff recommend transferring the \$300 to NRA Residential Development.

Emergency Shelter Grants

1. Undesignated Funding

Staff supports the recommendation of the Grants Review Committee for ESG undesignated funding. The Grants Review Committee was aware of the Community Council on Homeless Advocacy priorities and proposed funding needs.

The projected 2001-2002 CDBG and HOME allocations were reduced from the projected amount. The actual Emergency Shelter Grant funds remained the same as forecast. The total proposed allocation for

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the 2001-2002 HUD Combined Allocations and the One Year Action Plan is \$6,315,700, of which \$5,878,600 has been reserved by the City Council for priority programs and services. These allocations will be effective July 1, 2001.

Each grant program is restricted to certain federal allocation limits, which cannot be exceeded; however, they can be less. In 2001-2002, these limits (by grant) are:

CDBG	\$1,163,310	Public Services
	\$ 780,400	Planning and Administration
HOME Funds	\$ 310,050	Neighborhood-Based
	\$ 206,700	Non-Profits (CHDOs) (Minimum)
		Administration

The national objectives of the Community Development Act are to principally benefit low/moderate income persons, eliminate slum and blight, or meet other urgent community needs. The HOME program also must primarily benefit low/moderate income persons and the Emergency Shelter program must benefit homeless persons. Allocation of Consolidated Grant funds is also subject to individual federal eligibility rules regarding specific activities/programs and national objectives of primarily benefiting low income persons or addressing conditions of slum/blight. The process by which grant funds are authorized by the City Council is a matter of local determination. The City Council has the authority to solicit proposals or to reserve grant funds for community priority needs and programs.

The City has met federal requirements in the allocation of funds. Prior to final allocations and payments, each project must be verified for eligibility for use of the respective grant funds. Subsequent to the allocation of funds, staff will prepare a One-Year Action Plan of activities to be funded. The One-Year Action Plan will be presented to City Council and will be made available for a required thirty (30) day public review and comment period. At the end of the comment period, the final plan will be submitted to the City Council for approval and authorization to submit to HUD.

(Mayor Knight momentarily absent with Vice Mayor Lambke in the Chair.)

Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion -- Knight moved that the funding allocations, use of prior year savings, request for proposal services and Grants Review Committee emergency shelter and HOME funding recommendations be approved; CDBG funding be designated; and preparation of the One-Year Action Plan be approved. Motion -- carried carried 7 to 0.

CITY COUNCIL AGENDA

COUNCIL SALARIES CITY COUNCIL SALARIES. (REQUESTED BY COUNCIL MEMBER ROGERS)

Council Member Rogers Council Member Rogers reviewed the Item.

Agenda Report No. 01-0375.

On January 23, 2001, the City Council considered a proposed charter ordinance, which would have increased the salary of the Mayor to \$75,000 and the City Council members to \$30,000. The ordinance retained the current cost of living provisions and an automobile allowance (as set by Council policy). The City Council referred the matter to the District Advisory Boards. All District Advisory Boards reviewed the item during the month of February. Five of the six Boards recommended increases to the Council member salaries. Three Boards supported the proposed increase for the Mayor's salary, while one Board recommended support with a lower amount and one Board recommended no increase (four of the nine opponents supported a lower salary). One Board recommended the proposal be decided by a public vote.

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The proposed charter ordinance herein establishes new terms of compensation for City Council members and the Mayor. After June 1, 2001, the current salaries for Council members of \$14,845 would be increased \$6,000 annually for 2001, 2002, and 2003; the Mayor's current salary of \$31,282 would be increased \$8,000 annually for 2001, 2002, and 2003. The Charter Ordinance also provides that there would be an annual cost of living increase after the year 2003 (50% of CPI-U increase), in lieu of social security payments. The ordinance retains the automobile allowance (as set by Council policy).

The adoption of the Charter Ordinance will require an adjustment of items in the 2001 budget.

The City has the authority under its Home Rule powers to set the compensation for the governing body. This is a Charter Ordinance and requires approval by 2/3rds of the Council.

Council Member Rogers Council Member Rogers recommended phasing in the salaries over a three-year period; and recommended: \$7,000/year for 3-years for Council; \$10,000/year for 3 years for the Mayor. Begin at beginning of next election or make over a 2-year period.

Current Council Member salaries are \$14,845/year.

Council Member Lambke Council Member Lambke stated that there is no other way for salaries to be increased except by Council action. Most of the DABs agreed with \$30,000 for Council, \$75,000 for Mayor.

Council Member Lambke said he could support additional pay increase to \$20,000 for Council and to \$35,000 for Mayor, but \$35,000 is too much for Council Members. He said he does not agree the Council Member position is a full-time job.

Council Member Cole Council Member Cole spoke in support of the DAB recommendation.

Council Member Martz Council Member Martz said most of the DABs favored a raise. Council Member Martz said he felt the Council Member position is full-time and that he favored Council Member Roger's proposal.

Council Member Gale Council Member Gale stated that the DABs supported a phase-in and that he could support \$6,000/yr for 3-years for Council Members and \$8,000/yr for 3-yrs for Mayor.

Mayor Knight Mayor Knight said he strongly supports City Council/Manager form of Government. If a raise passes, he will not take the raise. Serving as Council Member and Mayor has been his way of giving back to the community what has been given to him. There has been a great shift from a previous time when Citizens deferred to elected officials, and shift from tolerance to intolerance. DABs also reflect, more or less, the views of their City Council Member. The role of Mayor may become more important in the future.

Mayor Knight said he cannot support full-time pay for Council Members as he knows the amount of time that position takes.

The job of Mayor ought to be considered as full-time for Mayor Knight's successor.

There needs to be a way to move the Mayor's salary equal to the County Commissioner salary. Use the budgeted amount for the Mayor that Mayor Knight does not take for the next two years toward pay for his successor.

Increase for Council Members should be not over \$30,000 over a multi-year period – and multi-year period for mayor – over extended time – or \$7,500/year until salary reaches same level of County Commissioner.

Council Member Pisciotte Council Member Pisciotte spoke in support of a raise. Council Member Pisciotte said there will be those who will oppose a raise but who will accept the raise when in the position of Council Member.

Motion -- Rogers moved that a Charter Ordinance be adopted that increases Council Members salaries by \$7,000/year for 3 years; the Mayor's salary be phased in to become \$68,753 over 3 year period; and

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annual increases to Council Members and Mayor's salaries commensurate with CPI index.

Subst. Motion --

Knight moved a substitute motion that a Charter Ordinance be adopted that increases Council Members salaries (beginning with next budget year) by \$5,000 per year for 3 years; increases the Mayor's salary by \$7,500/year for five years; and (instead of ½ of adjusted inflation rate) the annual adjustment be consistent with the CPI. Substitute motion failed 4-3 – Cole, Martz, Rogers – No.

-- failed

-- failed

Motion failed 3-4 – Gale, Lambke, Pisciotte, Knight – No.

(Note: A Charter Ordinance requires five votes to pass.)

APPOINTMENTS

BOARD APPOINTMENTS.

Motion --

-- carried

Pisciotte appointed Peggy Brown – Sister Cities and moved that the appointment be approved. Motion carried 7 to 0.

CONSENT AGENDA

Knight moved that the Consent Agenda, including addendum Item 30a, be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED MARCH 19, 2001.

Bids were opened March 9 and 16, 2001, pursuant to advertisements published on:

Central Avenue from 100 438 West of C.L. of Woodchuck to 141 175 East of C.L. of Winterset - Central and Ridge Road. (87 N-0128-01 472-83057/706805 /200271) Traffic to be maintained during construction using flagpersons and barricades. (District V)

Cornejo & Sons Construction - \$2,720,341.95 (Base bid with add alternate)

2001 Contract maintenance preparatory curb and gutter repairs and miscellaneous concrete repairs - City limits. (472-83333 /132710/) Traffic to be maintained during construction using flagpersons and barricades. (District All)

McFadden Construction - \$200,000.00 (Engineer's estimate)

Water distribution system to serve Brush Creek Third Addition - east of Woodlawn, south of 37th Street North. (448-89531/735003/470673) Does not affect existing traffic. (District I)

McCullough Excavation - \$34,814.20

2001 contract maintenance asphalt thermal crack, slurry seal and various street repairs - north of 55th South, east of 119th Street West. 472-83343 /131532/) Traffic to be maintained during construction using flagpersons and barricades. (Districts III, V and VI)

Ferguson Paving - \$245,000.00 (Engineer's estimate)

2001 contract maintenance heater scarification and overlay - various locations. (472-83337/132710/) Traffic to be maintained during construction using flagpersons and barricades. (Districts I, II, IV and V)

Cutler Repaving, Inc. \$265,000.00 (Engineer's estimate)

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Sanitary sewer reconstruction at Pawnee and Topeka - east of Broadway at Pawnee. (468-83075/620284/660409) Traffic to be maintained during construction using flagpersons and barricades. (District III)

WB Carter Construction - \$75,046.00

Lateral 458, Southwest Interceptor Sewer to serve Hanhardt Addition - west of Hoover, south of Harry. (468-83125/743848/480536) Traffic to be maintained during construction using flagpersons and barricades. (District V)

WB Carter Construction - \$16,170.00 (Negotiated to Engineer's estimate)

Bedford and Bedford Courts in Cedar View Second Addition- north of Lincoln, east of Greenwich. (472-83300/765665/490776) Does not affect existing traffic. (District II)

APAC Kansas Inc. - \$168,114.25

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

HOUSING SERVICES DEPARTMENT/PUBLIC HOUSING DIVISION: Rehabilitation of 2601 North Piatt and 1928 North Spruce. (097804)

S and A Construction, Inc. - \$69,850.00 (Total net bid)

HOUSING SERVICES DEPARTMENT/PUBLIC HOUSING DIVISION: Removal and Replacement of Sidewalks, Driveways, Approaches and Fencing at Various Sites. (097804)

Arambula Construction Co. \$68,500.00 (Total net bid)

HOUSING SERVICES DEPARTMENT/PUBLIC HOUSING DIVISION: Removal and Replacement of Playground Equipment, Sidewalk and Park Benches at Country Acres Park. (097804)

Barkley Construction - \$46,200.00 (Total net bid)

HOUSING SERVICES DEPARTMENT/PUBLIC HOUSING DIVISION: Parking Lot Resurfacing and Stripping at Greenway and McLean Manor. (097804)

Ritchie Paving and Construction Inc. - \$20,925.00 (Total net bid)

GENERAL GOVERNMENT DEPARTMENT/PROPERTY MANAGEMENT DIVISION: Roof Replacement at 221 East Kellogg. (205021)

Industrial Roofing - \$43,176.00 (Total net bid)

PUBLIC WORKS DEPARTMENT/MAINTENANCE DIVISION: Traffic Sign Faces. (132217)

Signs and Blanks, Inc. - \$5,763.75 (Total net bid)

PUBLIC WORKS DEPARTMENT/STORM WATER MANAGEMENT DIVISION: Drainageway Mowing. (133116)

Complete Landscaping Systems - \$55.00 (Cost per acre per mowing)

PUBLIC WORKS DEPARTMENT/FLEET & BUILDINGS DIVISION: Demolition and Off-Site Removal of the Following Commercial Property: 8830 West Kellogg, 9214 West Kellogg and 9500 West Kellogg. (702201)

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H.D. Mills and Sons Inc. -\$7,900.00 (Group 1/lump sum total)
\$6,500.00 (Group 2/lump sum total)
\$6,900.00 (Group 3/lump sum total)

PARK DEPARTMENT/MAINTENANCE/GOLF COURSES DIVISIONS: FERTILIZERS, Herbicides, Insecticides, Fungicides and Miscellaneous. (170282)

Estes Inc. -\$567.20 (Group 1/total net bid)
The Greenkeeper Co. - \$3,540.00 (Group 2/total net bid)
United Horticultural Supply - \$6,305.00 (Group 3/total net bid)
Estes Inc. - \$1,856.00 (Group 4/total net bid)
Outdoor Equipment - \$4,940.00 (Group 5/total net bid)
Estes Inc. - \$1,650.00 (Group 6/total net bid)
United Horticultural Supply - \$6,785.00 (Group 7/total net bid)
Estes Inc. - \$2,232.00 (Group 8/total net bid)
United Horticultural Supply - \$675.00 (Group 9/total net bid)
Estes Inc. - \$1,140.00 (Group 10/total net bid)
\$3,879.87 (Group 11/total net bid)
\$1,432.00 (Group 12/total net bid)
\$1,476.24 (Group 13/total net bid)
\$ 939.60 (Group 14/total net bid)
BWI Springfield - \$1,010.32 (Group 15/total net bid)
The Greenkeeper Co. - \$19,475.00 (Group 16/total net bid)
United Horticultural Supply - \$625.00 (Group 17/total net bid)
Van Diest Supply - \$819.60 (Group 18/total net bid)
Outdoor Equipment - \$5,040.00 (Group 19/total net bid)
United Horticultural Supply - \$28,191.60 (Group 20/total net bid)
Van Diest Supply - \$3,357.20 (Group 21/total net bid)
United Horticultural Supply - \$18,861.20 (Group 22/total net bid)
\$ 2,970.00 (Group 23/total net bid)
\$ 206.00 (Group 24/total net bid)
\$ 480.00 (Group 25/total net bid)
\$ 1,100.00 (Group 26/total net bid)
\$ 5,390.00 (Group 27/total net bid)
\$ 1,992.00 (Group 28/total net bid)
\$ 2,800.00 (Group 29/total net bid)
\$ 536.00 (Group 30/total net bid)
\$ 618.00 (Group 31/total net bid)
\$ 330.00 (Group 32/total net bid)
Outdoor Equipment - \$1,488.00 (Group 33/total net bid)
Estes Inc. - \$234.00 (Group 34/total net bid)
BWI Springfield - \$6,740.00 (Group 35/total net bid)
Outdoor Equipment - \$3,350.00 (Group 36/total net bid)
Estes Inc.- \$1,524.00 (Group 37/total net bid)
Outdoor Equipment - \$2,470.00 (Group 38/total net bid)
\$ 510.00 (Group 39/total net bid)
The Greenkeeper - \$636.00# - (Group 40/total net bid)
#Winner of coin toss
Outdoor Equipment - \$510.00 (Group 41/total net bid)
Estes Inc. - \$1,305.12 (Group 42/total net bid)

WATER & SEWER DEPARTMENT/PRODUCTION & PUMPING DIVISION: Parking Lot Repair at Sims Golf Course. (183632)

Kansas Paving - \$14,500.00 (Total net bid)

PARK DEPARTMENT/LANDSCAPE & FORESTRY DIVISION: Shrubs, Perennials and Groundcovers. (172001)

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Borst Nursery and Garden Center - \$1,137.40 (Item 1/total net bid)
\$ 169.20 (Item 2/total net bid)
Jenco Wholesale Nurseries Inc. - \$721.92 (Item 3/total net bid)
Borst Nursery and Garden Center - \$1,118.60 (Item 4/total net bid)
\$ 420.00 (Item 5/total net bid)
Jenco Wholesale Nurseries Inc. - \$91.20 (Item 6/total net bid)
Borst Nursery and Garden Center - \$207.20 (Item 7/total net bid)
Hillside Nursery Inc. - \$285.00 (Item 8/total net bid)
Borst Nursery and Garden Center - \$493.00 (Item 9/total net bid)
Jenco Wholesale Nurseries Inc. - \$416.00 (Item 10/total net bid)
Borst Nursery and Garden Center - \$559.00 (Item 11/total net bid)
Jenco Wholesale Nurseries Inc. - \$1,560.32 (Item 12/total net bid)
\$ 884.80 (Item 13/total net bid)
\$ 149.76 (Item 14/total net bid)
\$1,297.92 (Item 15/total net bid)
\$ 55.68 (Item 16/total net bid)
\$ 18.56 (Item 17/total net bid)
\$ 83.20 (Item 18/total net bid)
\$ 20.80 (Item 19/total net bid)
\$ 199.68 (Item 20/total net bid)
Borst Nursery and Garden Center - \$162.00 (Item 21/total net bid)
Jenco Wholesale Nurseries Inc. - \$71.68 (Item 22/total net bid)
Brady Nursery Inc. - \$384.00 (Item 23/total net bid)
Jenco Wholesale Nurseries Inc. - \$1,827.84 (Item 24/total net bid)
\$ 204.80 (Item 25/total net bid)
\$ 71.68 (Item 26/total net bid)
Borst Nursery and Garden Center - \$374.40 (Item 27/total net bid)
Bluebird Nursery, Inc. \$152.75 (Item 28/total net bid)
Borst Nursery and Garden Center - \$53.20 (Item 29/total net bid)
Jenco Wholesale Nurseries Inc. - \$92.16 (Item 30/total net bid)
Bluebird Nursery Inc. - \$97.50 (Item 31/total net bid)
\$84.50 (Item 32/total net bid)
\$55.25 (Item 33/total net bid)
\$87.75 (Item 34/total net bid)
Jenco Wholesale Nurseries Inc. - \$102.40 (Item 35/total net bid)
\$178.00 (Item 36/total net bid)
Bluebird Nursery Inc. - \$52.50 (Item 37/total net bid)
\$19.50 (Item 38/total net bid)
Jenco Wholesale Nurseries Inc. - \$43.20 (Item 39/total net bid)
Bluebird Nursery Inc. - \$19.50 (Item 40/total net bid)
Borst Nursery and Garden Center - \$34.20 (Item 41/total net bid)
Bluebird Nursery Inc. - \$35.75 (Item 42/total net bid)
Jenco Wholesale Nurseries Inc. - \$51.80 (Item 43/total net bid)
\$598.50 (Item 44/total net bid)
Brady Nursery Inc. - \$220.00 (Item 45/total net bid)

PUBLIC WORKS DEPARTMENT/FLEET & BUILDING DIVISION: Wichita Art Museum.
(792329)

Dondlinger & Sons - \$7,460,000.00 (Base bid)
\$ 1,700.00 (Add Alternate 1)
\$ 170,000.00 (Add Alternate 2)
\$ 412,000.00 (Add Alternate 3)
\$ 46,000.00 (Add Alternate 4)
\$ 87,000.00 (Add Alternate 5)
\$ 52,000.00 (Add Alternate 6)
\$ 140,000.00 (Add Alternate 7)
\$ 44,500.00 (Add Alternate 8)

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\$	64,766.00 (Add Alternate 9)
\$	13,992.00 (Add Alternate 9A)
\$	9,084.00 (Add Alternate 9B)
\$	13,727.00 (Add Alternate 9C)
\$	4,791.00 (Add Alternate 9D)
\$	3,545.00 (Add Alternate 9E)
\$	1,833.00 (Add Alternate 9F)
\$	407.00 (Add Alternate 9G)
\$	5,978.00 (Add Alternate 9H)
\$	37,153.00 (Add Alternate 10)
\$	43,274.00 (Add Alternate 10A)
\$	2,284.00 (Add Alternate 10B)
\$	3,922.00 (Add Alternate 11/Year 2)
\$	3,922.00 (Add Alternate 11/Year 3)
\$	3,922.00 (Add Alternate 11/Year 4)
\$	3,922.00 (Add Alternate 11/Year 5)
\$	9,000.00 (Add Alternate 12)
\$	60,000.00 (Add Alternate 13)

WATER & SEWER DEPARTMENT/SEWAGE TREATMENT DIVISION: Liquid Polymer Activated Dilution/Feed System. (632166)

Fluid Equipment - \$50,500.00 (Total net bid)

Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

LICENSES

APPLICATIONS FOR LICENSES FOR ADULT ENTERTAINMENT ESTABLISHMENTS /SERVICES:

New Escort Service

George Watley	Worldwide Entertainment II	1121 Waterman
Daniel Yoke	Class Act Productions	209 South Washington

Motion -- carried Knight moved that the licenses be approved subject to Staff approval. Motion carried 7 to 0.

Applications for Licenses to Retail Cereal Malt Beverages:

Renewal 2001 (Consumption on Premises)

Anne Truong	Pho 99 Restaurant*	1015 North Broadway
Judith Whitney	Duffy's	2415 West 31st Street

Renewal 2001 (Consumption off Premises)

Julie Gregg	Kum & Go #323	3405 South West Street
Julie Gregg	Kum & Go #326	277 South Ridge
Julie Gregg	Kum & Go #327	707 North Waco
Julie Gregg	Kum & Go #328	6330 East 21st Street

New Establishment 2001 (Consumption on Premises)

Elena Diaz	La Sierra Mexican Restaurant, Inc.*	2005 South Seneca
Ricky Morey	Morey's Deli and Keno*	3316 South Broadway
Kimberly A. Gibson	WBG, LLC	4201 East 21st Street
	dba Braeburn Golf Course at WSU*	

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*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion -- carried

Knight moved that the licenses be approved subject to Staff approval. Motion carried 7 to 0.

PLANS AND SPECS. SUBDIVISION PLANS AND SPECIFICATIONS.

There were no Sub-Division Plans and Specifications submitted.

PRELIMINARY ESTS. PRELIMINARY ESTIMATES:

- a. Storm Water Drain No. 161 to serve Angel Fire Addition - north of 46th Street South, east of West Street. (468-83184/751292/485183) Does not affect existing traffic. (District IV) - \$603,000
- b. Storm Water Drain No. 157 to serve Shoal Creek Addition - south of Central, west of 143rd Street East. (468-83187/751293/485184) Does not affect existing traffic. (District II) - \$556,000
- c. Hydraulic Avenue paving, 57th to MacArthur incidental drainage improvements Phase I - east of Hydraulic, south of MacArthur. (472-83324/706810/201275) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$674,585
- d. Water main replacement in College Hill Neighborhood - north of Kellogg, west of Woodlawn. (448-89331/636076/778156) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$844,065
- e. Phase 2 Landscaping in connection with paving Maple from 119th Street West to Maize Road - north of Kellogg, east of 119th Street West. (472-83092/706772/209233) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$90,295
- f. Storm Water Drain 155 to serve Zoo Business Park Addition - north of 21st, east of Hoover. (468-83163/751289/485180) At least one lane of traffic along 29th Street shall be maintained. (District V) - \$67,000

Motion -- carried

Knight moved that Statements of Cost be received and filed. Motion carried 7 to 0.

STATEMENTS OF COST STATEMENTS OF COST:

- a) (Amended) Improving Lateral 438, Southwest Interceptor Sewer to serve Unplatted Tracts - north of Central, west of 119th Street West. Total Cost- \$36,832.06 (plus idle fund interest - \$1,018.80, plus temporary note interest- \$1,220.14). Financing to be issued at this time - \$39,071.00. (743815/468-83030/480-503).
- b) Improving Landscaping Street Entrances for Willowbend North Estates Addition; Willowbend North Addition and Unplatted Tract - south of 45th Street North, west of Rock Road. Total Cost - \$150,000.00 (plus idle fund interest - \$0, plus temporary note interest - \$0). Financing to be issued at this time- \$150,000.00. (765673/472-83358/490-784).

Motion -- carried

Knight moved that the Statements of Cost be received and filed. Motion carried 7 to 0.

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SANITARY SEWER

PETITION FOR SANITARY SEWER TO SERVE CEDAR VIEW SECOND ADDITION – EAST OF GREENWICH, NORTH OF LINCOLN. (District II)

Agenda Report No. 01-0376.

The Petition has been signed by one owner, representing 100% of the improvement district. It will be part of the Four Mile Creek sewer system being acquired by the City of Wichita from Sedgwick County.

This project will provide sewer service to a new residential development.

The Petition totals \$90,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners of the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 01-108

Resolution of findings of advisability and Resolution authorizing construction of Lateral 301, Four Mile Creek Sewer (east of Greenwich, north of Lincoln) 468-83223, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented.

Rogers moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

SANITARY SEWER

PETITION FOR SANITARY SEWER TO SERVE METRO EAST BAPTIST AND SHOAL CREEK ADDITIONS – WEST OF 143RD STREET EAST, SOUTH OF CENTRAL. (District II)

Agenda Report No. 01-0377.

The Petition has been signed by two owners, representing 100% of the improvement district. It will be part of the Four Mile Creek sewer system being acquired by the City of Wichita from Sedgwick County government.

This project will provide sewer service to a new church building and a residential development.

The Petition totals \$101,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners of the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 01-109

Resolution of findings of advisability and Resolution authorizing construction of Lateral 302, Four Mile Creek Sewer (west of 143rd Street East, south of Central) 468-83224, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Rogers moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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HIGHLAND SPRINGS AMENDED RESOLUTION – STREET PAVING IN HIGHLAND SPRINGS SECOND ADDITION – WEST OF 135TH STREET WEST, SOUTH OF CENTRAL. (District V)

Agenda Report No. 01-0378.

On September 28, 1999, the City Council approved a Petition to pave streets in Highland Springs 2nd Addition. The developer has submitted a new Petition to change the assessment fractions to reflect current market conditions. The signatures on the Petition represent 100% of the improvement district.

An Amended Resolution has been prepared that corresponds to the new Petition.

The project budget is unchanged.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or by owners of the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 01-110

A Resolution amending Resolution No. R-99-380 of the City of Wichita, Kansas, authorizing improving of Highland Springs from the east line of the Plat west to the Northwest line of Lot 20, Block C; Aksarben from the north line of Highland Springs, north to the north line of the Plat; Remington Lane from the south line of Highland Springs; south to the southwesterly line of Remington Lane Court; Highland Springs Court from the north line of Highland Springs North to and including the cul-de-sac; Remington Court from the south line of Remington Lane South to and including the cul-de-sac, and; sidewalk along both sides of Highland Springs, from the east line of the Plat to the northwest line of Lot 20, Block C, on the side of Aksarben,, from the north line of Highland Springs, north to the south line of Highland Springs, south to the southwesterly line of Remington Lane Court, Project No. 472-83142 (west of 135th Street West, south of Central) in the City of Wichita, Kansas pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

BOARDS MINUTES MINUTES OF ADVISORY BOARDS/COMMISSIONS:

Metropolitan Area Planning Commission, 1-4-2001
Wichita Employees Retirement System, 1-17-2001
Police and Fire Retirement system, 1-24-2001
Board of Code Standards and Appeals, 2-5-2001
Wichita-Sedgwick County Board of Health, 2-8-2001
Design Council Minutes, 2-15-2001
Wichita Public Library Board of Directors, 2-20-2001

Motion -- carried

Knight moved that Minutes be received and filed. Motion carried 7 to 0.

STREET CLOSURES STREET CLOSURES - EATON PLACE DEDICATION AND GRAND OPENING

Agenda Report No. 01-0413.

The Eaton place dedication and grand opening is scheduled for Saturday, April 28, 2-4 p.m, for the general public. The dedication will occur on St. Francis Street between Douglas and William. Tours of the completed project will be handled in small groups after the official dedication.

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The dedication ceremony will require the setup of a stage, sound system, tenting, chairs, and a refreshment area. There are no areas within Eaton Place that will accommodate the large crowd that is anticipated to attend the event; therefore, the need for use of St. Francis.

Motion --
-- carried

Knight moved that the street closure for St. Francis between Douglas and William on Friday, April 27, beginning at 9 a.m. through Saturday, April 28 at 8 p.m., be approved. Motion carried 7 to 0.

STREET CLOSURE - ORPHEUM THEATRE OPENING

Agenda Report No. 01-0415.

In accordance with the Special Events Procedure, event sponsors are to notify adjacent property owners and coordinate arrangements with Staff, subject to final approval by the City Council.

The following street closure requests have been submitted.

Orpheum Theatre Opening – Friday, March 23, 2001 – 6:00-7:30 p.m.

- First Street at Market
- Broadway from Douglas to Second Street

Inasmuch as possible, event sponsors are responsible for all costs associated with special events.

Motion --

-- carried

Knight moved that the street closure requests be approved subject to: (1) Event sponsors notifying every property and/or business adjoining any portion of the closed street; (2) Coordination of event arrangements with City Staff; (3) Hiring off-duty public safety officers as required by the Police Department; (4) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department; (5) Submitting a Certificate of Insurance evidencing general liability insurance which covers the event and its related activities, including the naming of the City as an additional insured with respect to the event's use of the closed City streets. Motion carried 7 to 0.

CLAIMS

REPORT ON CLAIMS ALLOWED FEBRUARY, 2001:

<u>Name of Claimant</u>	<u>Amount</u>
Linda House	\$335.00
Donald W. Wanker	\$233.36
Travis L. Johnson	\$1,605.81
Mayra Campos	\$16.95
Blane Sharpe	\$160.00
Daniel Richey	\$360.06
Dave Bowring	\$2,150.28
Micheala Ortiz	\$195.00
Debra A. O'Connor	\$1,029.93*
Johnnie Bell	\$344.01
Samuel M. Baker	\$1,857.42

*Settled for amount less than amount claimed.

Motion -- carried

Knight moved that the report be received and filed. Motion carried 7 to 0.

KANSAS CORP. COMMISSION

FY 2002 GRANT WITH THE KANSAS CORPORATION COMMISSION.

Agenda Report No. 01-0379.

For the past seventeen (17) years Wichita Transit has filed for KCC funding to support the local rideshare program and special transportation development/coordination activities.

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This year's grant will be a continuation of that effort, which includes labor costs (with training and marketing) to promote all ground transportation services from buses to vans to carpools. Major employers will be targeted for some level of corporate sponsorship of public transit. Additionally, staff will be conducting continuing research on the feasibility of implementing Intelligent Transportation Systems (ITS) type of service for operations, including the automatic vehicle locator (AVL), geographic information system (GIS), and electronic fare collection per Wichita Transit's Operational Plan. Finally, staff will continue its brokering effort to place/match individuals for other transportation services available throughout the region.

The KCC grant request is for \$35,000. KCC will be used as the 20% local match to FTA (80%) funds (\$140,000) for a total project cost of \$175,000. There will be no City funds used to support these activities.

The City's Law Department will review the contract prior to execution as to form.

Motion -- Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.
-- carried Motion carried 7 to 0.

DESIGN SERVICES **SUPPLEMENTAL AGREEMENT FOR CENTRAL FROM ZOO TO MCLEAN.** (Districts IV and VI)

Agenda Report No. 01-0380.

The City Council approved the design of Central, Zoo to McLean and entered into an Agreement with Baughman Company, P.A. for the design services. The Design Agreement with Baughman requires the firm to provide surveying services, if requested by the City.

The proposed Supplemental Agreement between the City and Baughman provides for surveying services for the landscaping at the intersections of Central/Zoo/Sheridan and Central/Meridian/McLean. With the current workload created by previous capital projects, City crews are not available to perform this work.

Payment will be on a lump sum basis of \$2,600 and will be paid by General Obligation Bonds.

Motion -- Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.
-- carried Motion carried 7 to 0.

COMPUTER/DATA **CONTRACT FOR COMPUTER SCADA SYSTEM INSTALLATION.**

Agenda Report No. 01-0381.

Sewage Treatment presently utilizes Facility Maintenance Technology (FMT) for the plant SCADA system. Wonderware/Avantis was selected to replace FMT for which no upgrades are available.. Wonderware will also be utilized at the new Northwest Treatment Plant. Following City Council approval of the software purchase, a Request for Proposals was prepared for the selection of a systems integrator and REP was selected, based on their experience and their cost proposal.

The current operating system (FMT) has not been upgraded for over a year-and-a-half and there are no signs of continued product support in the future. FMT also lacks much of the current technology that makes Wonderware more effective and increases ability to supervise multiple locations leading to optimization of plant staffing.

The Contract for installation and conversion of the SCADA control, maintenance, and inventory programs will cost \$19,950. Funds are available in Sewage Treatment Plant #2 Improvements (CIP S-513).

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Contract approval is subject to legal review.

Motion -- Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.
-- carried Motion carried 7 to 0.

SEWER FACILITIES CONTRACT FOR IMPROVEMENTS TO ACQUIRED COUNTY SEWER FACILITIES.

Agenda Report No. 01-0382.

Approve the Contract with Professional Engineering Consultants, P.A., for Four Mile Creek Improvements.

On March 6, 2001, the City Council approved the acquisition of several Sedgwick County sewer district facilities. The facilities included the Four Mile Creek, Fairway Meadows, Mid-Continent, and West Sedgwick sewer systems. The transition team is working to accomplish the transfer of the systems by April 1, 2001. The City Council approved a budget of approximately \$7.6 million for improvements and repairs to the facilities.

The Contract is for the study, design, and project management of the proposed improvements to the acquired County facilities. Tasks include the improvements to the Four Mile Creek facility, the revision to the 2000 Sanitary Sewer Master Plan update, the rehabilitation of the Crestview Pump Station, and installing a System Control and Data Acquisition (SCADA) system for the facilities.

The Contract amount is for \$804,609 and has available funding in Four Mile Creek Improvement (CIP # S-520) of \$1,000,000. \$75,000 of the total Contract will be paid from Sanitary Sewer Master Plan Update (CIP #S-508). The project will be funded from revenues and/or a future bond issue.

Motion -- Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.
-- carried Motion carried 7 to 0.

DESIGN SERVICES DESIGN SERVICES FOR BASIN 4 – TYLER ROAD ON THE WEST, 45TH STREET NORTH ON THE NORTH, ARKANSAS RIVER ON THE EAST, AND 21ST STREET NORTH ON THE SOUTH. (District V)

Agenda Report No. 01-0383.

The City Council approved the project on November 28, 2000.

The proposed Agreement between the City and Wilson & Company provides for de-sign services to develop construction drawings for sanitary sewer main improvements in Basin 4. The Staff Screening & Selection Committee selected Wilson for the design on December 12, 2000.

Payment will be made on a cost plus percentage of cost basis and not to exceed \$274,760. The funding source is Revenue Bonds.

Motion -- Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.
-- carried Motion carried 7 to 0.

DESIGN SERVICES DESIGN SERVICES FOR SUPPLEMENTAL – REGENCY PARK ADDITION – WEST OF GREENWICH, NORTH OF K-96. (District II)

Agenda Report No. 01-0384.

On March 28, 2000, the City entered into an Agreement with MKEC Engineering Consultants, Inc. (MKEC) for designing improvements in Regency Park Addition. The fee was \$77,800.

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MKEC has been asked to design an extension to the sanitary sewer. Supplemental Agreement No. 1 has been prepared.

Payment to MKEC for the Supplemental Agreement will be made on a lump sum basis of \$2,000, and will be paid by special assessments.

Motion -- Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.
-- carried Motion carried 7 to 0.

DESIGN SERVICES DESIGN SERVICES FOR LEGACY PARK WILSON ESTATES ADDITION – SOUTH OF 21ST STREET, WEST OF WEBB. (District II)

Agenda Report No. 01-0385.

The City Council approved the project on May 16, 2000.

The proposed Agreement between the City and Professional Engineering Consultants, P.A. (PEC) provides for the design of bond financed improvements in Legacy Park Wilson Estates Addition. Per Administrative Regulation 7a, staff recommends the selection of PEC because PEC provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$55,000, and will be paid by special assessments.

Motion -- Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.
-- carried Motion carried 7 to 0.

DESIGN SERVICES DESIGN AGREEMENTS FOR ARTERIALS AND BRIDGES PROGRAM. (Districts I, II and III)

Agenda Report No. 01-0386.

On November 28, 2000, the City Council authorized the Staff Screening and Selection Committee to select design engineers for the 2001 Arterials and Bridges Program. On February 20, 2001, the Staff Screening and Selection Committee selected consulting firms to perform the design engineering for the CIP Projects, associated petitioned projects, and incidental water and sewer lines.

Following is the list of projects, the firm selected for each project and the maximum fee allowed by the Agreements.

<u>LOCATION/DESCRIPTION</u>	<u>CONSULTANT</u>	<u>FEE</u>
13th St. North, I-135 to Hillside (MS-201001)	K.E. Miller	\$103,000
119th St. West, south of 21st to 21 st (MS-201002)	K.E. Miller	\$ 27,800
Rock Road Bridge at Gypsum Creek (B-243006)	MKEC Engineering	\$ 39,800

The design fees total \$170,600. The funding source is General Obligation Bonds.

Motion -- Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.
-- carried Motion carried 7 to 0.

INTERSECTION IMP. CHANGE ORDER - PAWNEE/OLIVER INTERSECTION IMPROVEMENTS. (District III)

Agenda Report No. 01-0387.

On August 22, 2000, the City Council approved a contract to reconstruct the intersection of Pawnee and Oliver. During the construction process, it has been determined that an existing waterline is faulty and should be replaced.

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A Change Order has been prepared that authorizes the additional work. Funding is available within the project budget.

The total cost of the additional work is \$27,838. The funding source is the Water Utility.

The Change Order amount is within the 25% of the construction Contract cost limit set by the City Council policy.

Motion --
-- carried

Knight moved that the change order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

HESS PUMP STATION CHANGE ORDER - AUTOMATION OF HESS PUMP STATION.

Agenda Report No. 01-0388.

On May 23, 2000, the City Council approved a Contract with TEC Information Services to automate the controls and operation of the pumps at Hess Pump Station. The original Contract was for \$210,495. The Purchasing Manager approved Change Order No. 1 for \$4,620 in August of 2000.

The Contract includes an engineering study and computer programming to monitor and operate the pumps at the Hess Pump Station and the other remote pump stations. Two additional construction projects were initiated after the project began. One is the 36-inch Northeast Transmission Main, which terminates at 21st and Webb Rd. and the other is the modification to the Webb Rd. Pump Station to establish the East Pressure Zone.

Change Order No. 2 is for additional engineering services to recommend a concept design that will integrate the 10-million gallon underground water reservoir at 21st and Webb Rd. and the East Pressure Zone into the automatic operator control system.

The Change Order is for \$24,000 and will increase the Contract to \$239,115. Funding is included in the CIP W-410, Computer Controls for Hess Pump Station, which has available funds of \$164,505.

City Council approval is required for Change Orders over \$10,000.

Motion --
-- carried

Knight moved that the change order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

DESIGN SERVICES DESIGN ENGINEERING – WATER AND SEWER DEPARTMENT.

Agenda Report No. 01-0389.

On August 31, 1993, the City Council approved a Water Supply Plan prepared by Burns and McDonnell/MKEC Engineering Consultants. A demonstration program was initiated to test the feasibility of the proposals. On October 3, 2000, Staff reported that the main objectives of the Recharge Demonstration Project had been successfully completed; the City Council approved implementation of full-scale operational facilities required to implement the proposed Water Supply Plan. The Plan consists of a number of projects to be constructed over the next 10 years, including:

- Development of a 100 MGD aquifer storage and recovery project
- Installation of index wells to monitor water quality and water levels in the aquifer (necessary to meet Kansas water supply regulations)
- Redevelopment of wells in the Bentley Reserve Wellfield
- Expansion of the Local Wellfield

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A Request for Proposal (RFP) for program management services was issued to the most experienced consulting firms. The City received responses from two firms. The Staff Screening and Selection Committee rejected both proposals. Among the reasons for rejecting the proposals were costs. One proposal offered to provide services for approximately \$7.5 million, and the other for \$4.1 million. On an annual basis, one would cost an average of over \$700,000 per year, the other an average of over \$400,000 per year. In addition, there was genuine concern about each firm's commitment to provide a strong local presence throughout the project period.

Because of the components of the plan, the need to continuously consider various alternatives and enhancements, to coordinate the different phases of the projects, to acquire water permits for these facilities, and the extended construction schedule, Staff believes it will be advantageous for the City to have a Program Manager. The Program Manager would serve as an extension of City Staff and work as an advocate for the City's best interests throughout all phases of the project. The position would be eliminated when the Water Supply Plan implementation is complete.

Major tasks for this position would include:

- Develop and participate in a Design Workshop/Idea Exchange.
- Acquire permits from the state of Kansas for the bank storage wells, surface water diversion, the alluvial wells at the Bentley Reserve Wellfield, and the expanded local wellfield, as well as for the ASR project in the Equus Beds and other components of the project.
- Participate (with the selected design consulting engineers) in the development and evaluation of designs for the various projects.
- Provide appropriate operational monitoring to assure that operation of the new facilities would be optimized.
- Attend meetings with the design engineers, contractors, and others.
- Provide appropriate reports to document the progress of the projects and the over all program.
- Coordinate the continuing Public Information Program to help disseminate information on the progress of the projects.
- Apply for external funding (federal and state).

The estimated cost to implement the entire Water Supply Plan is \$283.5 million. Both firms proposed fees in excess of \$400,000 annually for project management services. The Design Engineer position, plus support for that position, will cost less than \$150,000 annually and will be funded entirely by the CIP. This will save approximately \$2 million in the CIP over a ten-year period and create no additional cost in the operating budget.

City Council approval is required to create a new position.

Motion -- carried

Knight moved that the Design Engineer position be authorized. Motion carried 7 to 0.

(Addendum Item 30A)

TRIPODAL

SCULPTURE REFINISHING CONTRACT.

Agenda Report No. 01-0414.

In 1996, a sculptural assessment study was completed that identified structural concerns in the James Rosati "Tripodal" sculpture located at Century II. In June 1997, local unions agreed to take on refurbishment as a community project and have completed the work of the internal steel structure.

The unions are unable to do the surface texture that is needed to complete refurbishment of the Tripodal sculpture. As a volunteer project, it has been difficult for them to complete this project in a timely manner due to lack of volunteer labor. Brothers Julian, a local vendor, has performed such restoration work for WSU, the sculptural collection, and for other museums in the region. They possess the skills needed to finish the project. Efforts to locate other vendors able to perform the work have not been successful.

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The negotiated contract cost is estimated at \$25,000. Funding is available from General Fund appropriated reserves to provide for payment on the final contract.

Ordinance 35-856, Sec 2(b) authorizes the City Manager to negotiate a sole source contract in situations where specialized services and/or products are required and only one vendor can be identified to provide that product and/or service. Budget adjustments in excess of \$10,000 require City Council approval.

Motion --
-- carried

Knight moved that negotiation of the Contract be authorized; the budget adjustments be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

AUBURN HILLS

AUBURN HILLS CAPITAL PROJECT INCREASE. (District VI)

Agenda Report No. 01-0390.

On December 17, 1996, the City Council approved the Auburn Hills Golf Course concept. Currently, the course and clubhouse are very near completion, with only final preparations required. These final items include the installation of industrial kitchen equipment, the purchase of furniture to outfit the clubhouse, the purchase of equipment necessary to operate the driving range and the acquisition of golf carts. After these improvements are completed, a course opening will be planned, possibly as early as mid-May, 2001.

The Auburn Hills clubhouse will be operated primarily by the City, rather than through contractors as is the present model at the other City courses. This will require an increased investment by the City in range supplies, carts and kitchen modifications. The kitchen area of the clubhouse is being designed to provide capacity for a light food and beverage preparation facility, in order to provide an expanded meal service to the golfers utilizing the course, citizens using the community meeting room, or neighborhood residents. With the expanded meal service available, clubhouse revenues are expected to increase. The driving range is projected to be a significant revenue source for the course; however, supplies are needed to open the range. The City will own and operate a fleet of carts at Auburn Hills, which will generate over \$200,000 annually.

A total of \$319,300 is required to complete the Auburn Hills clubhouse and driving range. The additional kitchen modifications will cost \$81,720, while other clubhouse modifications will cost an additional \$7,580. Furniture to outfit the facility is estimated at \$60,000, with an additional \$20,000 in equipment necessary to operate the driving range. The purchase of 60 new golf carts will cost \$150,000. Projected revenue from the driving range, carts and clubhouse will offset the increased debt service.

City Council action is required to increase a bonding resolution.

Motion --
-- carried

Knight moved that project increase and change order be approved; and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 01-113

A Resolution amending the original resolution increasing the bonding, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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DRAINAGE CANAL

WICHITA DRAINAGE CANAL IMPROVEMENTS – 10TH STREET TO 17TH STREET – PHASE II. (District I)

Agenda Report No. 01-0391.

In 1993, the City hired Mid-Kansas Engineering Consultants (M.K.E.C) to design improvements to the Wichita Drainage Canal from English to 17th Street. The design of the project has been completed. The total cost of the project was projected to be \$8,100,000.

For budget purposes, the project was developed in two phases. Phase I construction between English and 10th Street was approved by the City Council on December 8, 1998. This project included:

- 1) 24 foot gabion-lined low flow channel with stabilized grass overbanks
- 2) Third Street bridge removal
- 3) Construction of a new pedestrian bridge at Third Street

All parts of Phase I has been completed at a cost of \$3,982,000.

Phase II of the drainage project will continue the gabion-lined channel and stabilization of the grass overbanks from 10th Street to 17th Street. No bridgework will be included with this project. The estimated cost to complete this phase of the project is \$3,750,000. The Phase II project was presented to District Advisory Board I on February 5, 2001, and was approved.

Funding for Phase II was included in the 2001 – 2002 Capital Improvement Program (CIP) budget. The funds needed to complete this phase of the project will be bonded with debt service to be repaid through the Storm Water Utility.

Motion --
-- carried

Knight moved that the expenditure be approved; the project be authorized for bid; and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 01-111

A Resolution authorizing the issuance of Bonds by the City of Wichita at large for public improvements in the Wichita Drainage Canal Improvements, 10th Street to 17th Street (SW861002), presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

LIBRARY OUTREACH LIBRARY OUTREACH PROGRAM TO ENHANCE CHILDREN'S COLLECTIONS AND SERVICES.

Agenda Report No. 01-0392.

Since 1998 the City Council has annually approved a \$100,000 supplemental appropriation to expand the Library's collections and outreach for youth. This year's funds have been set aside in the 2001 Adopted Budget, contingent upon the Library submitting a detailed action plan for expenditure of the appropriation. The Library has met the criterion and is now ready to proceed with the program.

The plan proposes use of 2/3 of the funds to expand the core collection of standard juvenile literature for each library facility. Spanish, Vietnamese and multi-language materials, and award-listed books will also be purchased. A Youth Outreach Librarian was added in 2000 to support an outreach program to attract young readers. The materials purchased through this plan will be used in family learning programs, the summer reading program, a summer Teens Read program and to fund non-profit event fees to enable the Library to participate in community-wide festivals directed toward youth and families.

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The fund will be allocated as follows:

Core Titles: \$66,340
Spanish, Vietnamese and Multi-Language Materials: \$4,000
Award List Selections: \$4,000
Processing Fees for Materials Purchases: \$5,800
Family Learning Programs: \$5,000
Summer Reading Program: \$7,940
Teens Read: \$4,000
Booth Fees: \$1,000

The Library continues to expand youth outreach initiatives in 2001. While continuing to serve the citizens of Wichita at the present library locations, the Youth Outreach Librarian will oversee the identification of and outreach to under-served populations citywide. With allocation of the \$100,000, the Library can help more children achieve their reading and educational goals.

A contingency allocation of \$100,000 is available in the 2001 Adopted Budget to fund the plan.

Budget adjustments in excess of \$10,000 require City Council approval.

Motion -- carried Knight moved that the program and budget be approved. Motion carried 7 to 0.

SETTLEMENT

PAYMENT OF CLAIM - MARIA VITELA-MEDINA.

Agenda Report No. 01-0393.

The claimant was struck by a City vehicle and her vehicle was damaged. The cost to repair the damage is \$12,617.00.

The City employee was negligent and the City is liable for the damage to Ms. Medina's vehicle.

Funding for this payment is from the City's tort claims fund.

Motion -- carried Knight moved that the payment be authorized. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF PART OF 1802 EAST 13TH STREET FOR THE 13TH AND HYDRAULIC INTERSECTION PROJECT. (District I)

Agenda Report No. 01-0394.

In July of 1998, City Council approved a resolution calling for the improvement of several intersections and traffic corridors within the City. The intersection of 13th and Kansas was one such location. The improvement plans call for partial acquisitions at two corners. A 378 foot rectangular tract is required at the northeast corner. Sunflower Kubota owns this corner.

The site is improved with a retail strip center. No improvements will be impacted by this project. A negotiated value of \$3851 has been agreed to by the owner for the partial acquisition.

The Council resolution approved \$95,000 in general obligation bonds for this project. A budget of \$5,000 is requested. This includes \$3,851 for the acquisition, and \$1,149 for closing costs and title insurance.

Motion -- Knight moved that the budget and the Contract be approved; and the necessary signatures be
-- carried authorized. Motion carried 7 to 0.

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PROPERTY ACQ.

ACQUISITION OF PART OF 3340 EAST CENTRAL CENTRAL FOR THE CENTRAL/VASSAR INTERSECTION PROJECT. (District I)

Agenda Report No. 01-0395.

In July of 1998, City Council approved a resolution calling for the improvement of several intersections and traffic corridors within the City. The intersection of Central and Vassar was one such intersection. The improvement plans call for partial acquisitions of two corners. A 50 square-foot triangular tract is required at the northwest corner, commonly known as 3340 E. Central and owned by John W. and Dorothy L. McKay.

The site is improved with a commercial building. The improvements should not be disturbed during construction. A concrete planter near the corner will be altered by the City and with the property owners approval. The partial acquisition has been agreed to by the owners for the negotiated amount of \$1,000.

The Council resolution approved \$95,000 in general obligation bonds for this project. A budget of \$1600 is requested. This includes \$1000 for the acquisition, and \$600 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF PART OF 1356 NORTH KANSAS FOR THE 13TH AND HYDRAULIC INTERSECTION PROJECT. (District I)

Agenda Report No. 01-0396.

In July of 1998, City Council approved a resolution calling for the improvement of several intersections and traffic corridors within the City. The intersection of 13th and Kansas was one such location. The improvement plans call for partial acquisitions at two corners. A 121.25-foot triangular tract is required at the southeast corner. Northeast Group owns this corner.

The site is improved with a two-family dwelling. No improvements will be impacted by this project. A negotiated value of \$1200 has been agreed to by the owner for the partial acquisition.

The Council resolution approved \$95,000 in general obligation bonds for this project. A budget of \$1900 is requested. This includes \$1200 for the acquisition, and \$700 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

CONDEMNATIONS

REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURES.

Agenda Report No. 01-0397.

On March 5, 2001 the Board of Code Standards (BCSA) held a hearing on the following six (6) properties. These properties are considered dangerous and unsafe structures, and are being presented to schedule a condemnation hearing before the Governing Body.

Improvement notices have been issued on these structures, however, compliance has not been achieved. Pre-condemnation and formal condemnation letters were issued and the time granted has expired. No action has been taken to repair or remove these properties.

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<u>Property Address</u>	<u>Council District</u>
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1. 423 South Sycamore	IV
2. 804 West Hendryx	IV
3. 637 South Osage	IV
4. 1041 West Dayton	IV
5. 1921 South Water	III
6. 1959 South Market	III
7. 2510 North Jackson	VI

These structures have defects that under Ordinance No. 28-251 of the Code of the City of Wichita, shall cause them to be deemed as dangerous and unsafe buildings, as required by State Statute for condemnation consideration.

Motion --
-- carried

Knight moved that the Resolutions scheduling a public hearing on May 1, 2001, at 10:30 a.m. be adopted. Motion carried 7 to 0.

RESOLUTION NO. 01-097

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: Lots 18-19, Kaeiser's Second Addition, Wichita, Sedgwick County, Kansas, known as 423 South Sycamore, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. 01-098

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as Lots 1 and 3, on Osage Avenue, Glendale, an Addition to Wichita, Sedgwick County, Kansas, known as 804 West Hendryx, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. 01-099

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as Lots 1 and 3, on Osage Avenue, Glendale, , an Addition to Wichita, Sedgwick County, Kansas, known as 637 South Osage, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. 01-100

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: the North 90 feet of Lots 2 and 4, on Dayton Avenue, in Glendale, an Addition to Wichita, Sedgwick County, Kansas, known as 1041 West Dayton, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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RESOLUTION NO. 01-101

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: Lots 10 and 12, on Water Street, in English's Ninth Addition to Wichita, in Sedgwick County, Kansas, known as 1921 South Water, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. 01-102

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: Lots 37 and 39, on Market Street, Alameda Park Addition to Wichita, Addition, Sedgwick County, Kansas, known as 1959 South Market, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. 01-103

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: Lots 493 and 495 on Jackson Avenue, Rosenthal's Sub-Division of Meyers and Snyders Out Lots to Wichita, Sedgwick County, Kansas, known as 2510 North Jackson, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

CANVASS CERT. CERTIFICATE OF CANVASS – PRIMARY ELECTION OF FEBRUARY 27, 2001.

Motion -- carried Knight moved that the Certificate of Canvass be received and filed. Motion carried 7 to 0.

ABATEMENT FUNDS TRANSFER OF NUISANCE ABATEMENT FUNDS.

Agenda Report No. 01-0398.

The transfer requested moves \$25,000 from the Environmental Maintenance Contingency to the Environmental Maintenance Lot Cleanup account. The Environmental Maintenance Contingency was created to fund lot cleanup and weed mowing activities to abate environmental nuisances. Local ordinance and state law allow the City to clean up private property after proper notification of the responsible party. This process is typically used when property has been abandoned, or in cases involving absentee owners who cannot be located. A private contractor performs the work, and the City bills the cost to the property owner directly, or as a special property tax assessment.

In the 2001 budget, the Council allocated an initial \$24,400 to fund lot cleanup activities, with an additional \$90,000 available for transfer during the year. Invoices received to date total \$12,573 for 19 properties. Twenty-nine additional properties have been assigned to contractors for cleanup, five have been referred for cost estimates, and five are being processed for referral. Pending cases will deplete the current fund balance of \$11,827. Staff anticipates that the \$25,000 requested for transfer will fund cleanup activities for the next two to three months.

Funds in the contingency total \$90,000. The Finance Department has approved the transfer.

Council approval is required for budget adjustments in excess of \$10,000.

Motion -- Knight moved that the budget adjustment transferring \$ 25,000 from Environmental Maintenance

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-- carried

Contingency (OCA 149070) to Environmental Maintenance Lot Cleanup (OCA 149062.) be approved. Motion carried 7 to 0.

HISTORIC PRES.

HISTORIC PRESERVATION FUND GRANT PROPOSAL.

Agenda Report No. 01-0408.

As a Certified Local Government (CLG), the City of Wichita is eligible to participate in the Historic Preservation Fund (HPF) Grant program administered by the Kansas State Historic Preservation Office to finance activities that will contribute to planning for the preservation of our built environment and archaeological resources. This is the second call for proposals for FY 2001-2002. The first round of grants were reviewed by the Kansas State Historical Society and the City of Wichita was awarded funding for the Delano proposal to complete the survey of the neighborhood.

The grant proposal is for funding to hire a consultant to:

- Develop a commercial component to the College Hill Neighborhood Design Guidelines which were developed under a previous grant for residential properties;
- Prepare a draft report outlining the guidelines and review process for an overlay zone for College Hill; and
- Provide printing costs for the College Hill report and for a similar report for Delano that is an addendum to the Delano III Survey grant submitted in the first round of proposals for FY 2001-2001.

HPF grants require a 40 percent match of the total project cost. The total project cost is \$27,220.00 with federal match of \$14,900.00 and City match of \$12,320.00. Deadline for submission of proposals is March 30, 2001.

Because the 40 percent City match exceeds \$10,000, City Council must authorize the City Manager to sign required documentation for proposal submission. The 40% match required for the grant is wages and benefits of Planning Department staff involved in the project.

Motion --
carried

Knight moved that submission of proposal and receipt of funds be approved; and necessary signatures be authorized. Motion carried 7 to 0.

ORDINANCES

SECOND READING ORDINANCES: (FIRST READ MARCH 6, 2001)

- a) Delano Neighborhood Plan. (Districts IV and VI)

ORDINANCE NO. 44-896

An Ordinance adopting the Delano Neighborhood Revitalization Plan as an amendment to the Wichita Sedgwick County Comprehensive Plan, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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- b) 2001 Arterial Design Program. (Districts I, II, III, and V)

ORDINANCE NO. 44-897

An Ordinance declaring 13th Street North, between I-135 and Hillside; 119th Street West, between 17th Street North and 21st Street North; Central between Oliver and Woodlawn; Harry, between, I-135 and George Washington Boulevard and 29th Street North, between Rock and Webb (2001 Arterial Street Design Program) 472-83314, to be main trafficway within the City of Wichita, Kansas, declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- c) ZON2000-00066 – Northwest corner of Harry and Todd. (District II)

ORDINANCE NO. 44-898

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. ZON2000-00066

- d) PUD2001-0001/PUD No. - Northwest corner of Pawnee and Water. (District III)

ORDINANCE NO. 44-899

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. PUD2001-0001 – PUD NO. 4

- e) A01-01 – ¼ mile north of 21st Street North on the west side of 127th Street East. (District II)

An Ordinance including and incorporating certain blocks, parcels, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. A 01-01

PLANNING AGENDA

Marvin Krout

Director of Planning stated that Planning Agenda Items, except 45 and 50, Items could be considered as consensus Items unless the Council desired to withhold other Items.

Motion --
-- carried

Knight moved that the Planning Agenda Items, except 45 and 50, be approved as consensus Items. Motion carried 7 to 0.

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VAC2001-00002

**VAC2001-00002 – VACATE UTILITY EASEMENT LOCATED SOUTH OF 21ST STREET
BETWEEN ROCK ROAD AND WEBB ROAD.** (District II)

Agenda Report No. 01-0399.

The applicants are requesting to vacate a utility easement that is interior to property owned by the applicants. The applicants wish to construct a residence that will straddle Lots 3 & 4, Block 1, Wilson Farms Addition.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

Motion --
-- carried

Knight moved that the vacation order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

VAC2001-00005

**VAC2001-00005 – VACATE ACCESS CONTROL LOCATED ON THE WEST SIDE OF
RIDGE ROAD AND SOUTH OF NORTH 37TH STREET.** (District V)

Agenda Report No. 01-0400.

The applicant proposes to add an additional point of access for Lot 1, Block 1, Hoskinson Addition. If approved, the applicant will split this lot into two smaller lots. As originally proposed the new access point would be located at the lot southern 30-foot of the lot.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order, but requiring the applicant to move the proposed access point 250 feet north of the south lot line, to provide adequate separation from a street to the south. No written protests have been filed.

Motion --
-- carried

Knight moved that the vacation order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

SUB2000-103

**SUB2000-103 PLAT OF MYSTIC LAKES ADDITION LOCATED NORTH OF 53RD STREET
NORTH, ON THE EAST SIDE OF TYLER ROAD.**

Agenda Report No. 01-0401.

This site is located in the County within three miles of Wichita's city limits. A zone change (ZON 2000-31) from RR, Rural Residential to SF-20, Single-Family Residential has been approved for this site subject to platting.

The site has been approved by the County Health Department for the use of on-site sanitary sewer and water facilities. The Applicant has provided a cash guarantee for the construction of the private street to the public suburban street standard. In order to provide for the ownership and maintenance of the reserves, the applicant has submitted a restrictive covenant.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

The restrictive covenant and emergency access easement will be recorded with the Register of Deeds.

Motion --
-- carried

Knight moved that documents and Plat be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

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(Agenda Item #45)

**ZON2001-00004
CUP2001-00003 AND
DP-196**

ZON2001-00004 – ZONE CHANGE FROM NEIGHBORHOOD RETAIL AND SINGLE FAMILY RESIDENTIAL TO LIMITED COMMERCIAL; AND CUP2001-00003; DP-196 AMENDMENT NO. 2 – ADDITION OF ONE-ACRE TRACT AND MINOR MODIFICATIONS TO THE CIRCULATION LANE OF DP-196 ONE KELLOGG PLACE CUP, LOCATED ON THE SOUTHEAST CORNER OF KELLOGG AND GREENWICH ROAD. (District II)

Marvin Krout

Director of Planning reviewed the Item.

The applicant is proposing that a one-acre tract along Greenwich Road currently zoned “SF-6” and used as a residence be added to DP-196 One Kellogg Place C.U.P., and that it be zoned “LC” Limited Commercial. Also, the applicant is requesting that the land south of this tract along Greenwich Road be rezoned from “NR” Neighborhood Retail to “LC” Limited Commercial.

Other proposed changes to the C.U.P. include adjusting the size of several parcels, and moving the internal circulation drive approximately 100 feet to the north along Greenwich. The result is to increase the size of Parcel 12 on Greenwich from 2.55 to 3.56 acres and to reduce the size of Parcel 2 from 2.54 to 1.37. Also, Parcel 2 is reconfigured to provide direct frontage onto Greenwich. Allowed uses in Parcels 2 and 12 would include all permitted “LC” uses except: adult entertainment establishments, group homes, group residential, correctional placement residences, private clubs, taverns, and drinking establishments. Restaurants that serve liquor are permitted as long as food is the primary service of the establishment. Parcels 2 and 12 would be limited to one building each.

The internal circulation drives have been renamed from “Common Frontage Area ‘A’ ” to “Reserve ‘B’”, and from “Common Frontage Area ‘B’ ” to “Reserve ‘A’ ”. The drainage areas have been renamed Reserve “C” and Reserve “D”.

Existing uses along Kellogg include several car dealerships and used car sales lots, auto repair, and manufactured homes sales lots. The property to the east of the C.U.P. is developed with mini-storage warehouses (DP-117 East Kellogg Mini Storage C.U.P.). Turnpike forms the southern boundary, with the newly constructed Seltzer Elementary School and Woodland Lakes Estates located south of the Turnpike. One residence adjoins Parcel 2, and eight residences are located on the west side of Greenwich Road.

At the MAPC meeting held February 22, 2001, the applicant requested that the requirement for the screening wall be altered to allow an existing evergreen hedge or a wooden fence be used for screening the residential lot adjoining the C.U.P. on the northwest. MAPC voted (12-0) to recommend approval subject to Staff conditions and the requested revision regarding the screening wall and increasing the number of buildings permitted on Parcel 12.

One issue that was not addressed at MAPC was the future provision of access to the residual residential lot to the north. Staff would recommend that the C.U.P. should provide internal cross-lot circulation to this lot in order that access to it be via Reserve “A” and Orme Street to the north and not directly from Greenwich Road. The applicant has not responded at this time to this recommendation.

Motion --

Pisciotte moved that having reviewed the record of hearing before the MAPC and in accordance with Policy No. 10 of the MAPC previously adopted by this Board, and having reviewed the factors contained therein and the factors stated by the MAPC, the zone change and the C.U.P Amendment, subject to the recommended conditions, be approved; and the Ordinance be placed on first reading

-- carried

Motion carried 7 to 0.

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended, introduced and under the rules laid over. ZON2001-00004

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ZON2001-00005

ZON2001-00005 – ZONE CHANGE FROM SINGLE-FAMILY RESIDENTIAL TO GENERAL OFFICE, LOCATED ON THE SOUTH OF 37TH STREET NORTH, APPROXIMATELY ½ MILE EAST OF RIDGE ROAD. (District V)

Agenda Report No. 01-0403.

The applicant requests a zone change from “SF-6” Single-Family Residential to “GO” General Office on a 19.17 acre unplatted tract located south of 37th Street North and approximately ½ mile east of Ridge Road. The applicant indicates that the “GO” General Office zoning is requested to permit future development of the site with office uses. The applicant proposes to plat the subject property as part of the Ridge Port North 4th Addition.

The surrounding area is on the fringe of the developing urban area for Wichita, with much of the land in the area still used for agriculture. The properties north and east of the site are zoned “SF-20” Single-Family Residential and are used for agriculture. The property northeast of the site is zoned “SF-20” Single-Family Residential and is used for sand and gravel extraction. The properties south and southeast of the site are zoned “SF-6” Single-Family Residential and are proposed for the future development of single-family residences in the Ridge Port North 4th Addition. Most of the property west of the site is zoned “GO” General Office and is currently being developed with medical offices. The property west of the northern portion the site is zoned “SF-6” Single-Family Residential and is developed with a farm-related residence and outbuildings.

At the MAPC hearing on February 22, 2001, no speakers, other than the applicant’s agent, appeared either for or against the request. The MAPC voted (12-0) to approve the request subject to platting within one year and subject to the following provision of a Protective Overlay District:

1. Residential development shall be limited to a maximum density of 17.4 dwelling units per acre.

Motion --

Knight moved that having reviewed the record of hearing before the MAPC and in accordance with Policy No. 10 of the MAPC previously adopted by this Board, and having reviewed the factors contained therein and the factors stated by the MAPC, the recommendation of the MAPC be approved, subject to the to the condition of platting within one year; and the Planning Department be instructed to forward the Ordinance for first reading when the plat is forwarded to the City Council. Motion carried 7 to 0.

-- carried

ZON2001-00006

ZON2001-00006 – ZONE CHANGE FROM LIMITED COMMERCIAL TO GENERAL COMMERCIAL, LOCATED ON THE SOUTHEAST CORNER OF TYLER AND MCCORMICK. (District V)

Agenda Report No. 01-0404.

The applicant wishes to relocate his business (“All-American Auto”) which is currently located at Westfield and West Kellogg to property located east of Tyler and south of McCormick. This relocation is necessary due to improvements planned for West Kellogg that will force the applicant to move to a new location. The application area is a 1.4 acre “L” shaped tract that was created as a result of a lot split to the northern and eastern portions of the “Phillips 66 Kellogg and Tyler Addition.” The applicant purchased the property (1.4 acres) from the Phillips 66 Company in early 2000.

The application area is split into two commercial tracts, Tract A and B. Both tracts are currently zoned “LC” Limited Commercial. Tract “A” contains .5-acre and has 115 feet of frontage on Tyler and 188 feet of frontage along McCormick. The applicant would like to develop a paint/body shop (vehicle repair, general”) and a car sales lot (vehicle and equipment sales, outdoor) on one or both of these two tracts. One point of platted access control has been approved for Tract “A” off of Tyler. No access controls were obtained from Tract “A” along McCormick. The applicant’s “vehicle repair, limited” business is to be located on “Tract B.” The applicant would like to add a paint and body shop to the services they offer. They occasionally end up with customers who do not pay their repair bills and they need a way to dispose of those vehicles. Tract B has 217 feet of frontage along McCormick. No access controls were obtained along Tract “B”.

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"Vehicle repair, general" is first permitted by right in the "GC" General Commercial district. "Vehicle and equipment sales, outdoor" is a conditional use in the "LC" Limited Commercial district and by-right in the "GC" General Commercial district. Tract "A" is currently undeveloped. Tract "B" is currently being developed with the applicant's vehicle repair.

Across McCormick Street, and north of the application area, is a strip center that includes "LC" Limited Commercial and "GC" General Commercial uses. To the east is a credit union that is zoned to "LC." The Phillips 66 Service Station is located to the south and is zoned "LC." West across Tyler, are single-family residences that are zoned "SF-6" Single-Family Residential. To the southwest is a steak house and a strip center that is zoned "LC." The immediate general area, however, is predominately made up of retail and commercial uses.

Parking requirements for "vehicle repair, general" requires one (1) space per 500 square feet of building plus three (3) spaces. Parking requirements for "vehicle and equipment sales" are one (1) space per 500 square feet of building plus two (2) spaces for the first 10,000 square feet of lot area used for sales, display or storage purposes, plus one (1) space for each 10,000 square feet of lot area used for sales, display or storage purposes thereafter. The applicant expects to display a maximum of six vehicles for sale on-site.

The MAPC heard this case on February 22, 2001, and recommended approval, subject to the conditions contained in Protective Overlay (P-O) #90. Protective Overlay #92 contains conditions that restrict uses to those permitted in the "LC" Limited Commercial district plus "vehicle repair, general", no outside storage of salvaged vehicles, parking areas are to be paved, portable signs are prohibited, one off-site sign not exceeding 300 square feet is permitted, exterior audio systems, except those associated with a restaurant menu board, are prohibited, elevated display of vehicles is prohibited, fencing of outdoor vehicle sales is to be wrought iron or similar material, no outside storage of salvaged vehicles or parts are permitted, all vehicles that are not complete or intact are to be screened from ground view from neighboring properties, and any violation of the conditions of approval shall constitute a violation of the building permit.

Motion --

Knight moved that having reviewed the record of hearing before the MAPC and in accordance with Policy No. 10 of the MAPC previously adopted by this Board, and having reviewed the factors contained therein and the factors stated by the MAPC, the zone change, subject to the additional recommended provisions of a Protective Overlay (P-O #90) District, be approved; and the Ordinance be placed on first reading. Motion carried 7 to 0.

-- carried

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended, introduced and under the rules laid over. ZON2001-00006

ZON2001-00007

ZON2001-00007 – ZONE CHANGE FROM LIMITED COMMERCIAL TO GENERAL COMMERCIAL, LOCATED ON THE SOUTH SIDE OF CENTRAL AND EAST OF THE WICHITA-VALLEY CENTER FLOODWAY. (District V)

Agenda Report No. 01-0405.

The application area is located just east of the Wichita-Valley Center Floodway and south of Central Avenue, and is zoned "LC" Limited Commercial. The site is .6 acre in size and is a portion of a platted lot (Lot 1, Block A, J. Rogers Addition). The applicant is seeking "GC" General Commercial zoning in order to locate a "vehicle repair, general" (auto body repair) use at this location. The applicant has lost his lease at his current location on West Street, and wants to move his business to a location that is within his current market area.

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Access to the site would be off of Central as the site is blocked in on three sides by a self-service storage warehouse and the Wichita-Valley Center Floodway.

Surrounding zoning is "LC" Limited Commercial, "SF-6" Single-family Residential, "GO" General Office and "GC" General Commercial. Surrounding land uses include: retail sales, office, self-service storage warehousing and the Wichita-Valley Center Floodway.

The MAPC heard this request on February 22, 2001, and recommended approval subject to the conditions contained in Protective Overlay #91. The conditions restrict the uses to "LC" Limited Commercial uses plus "vehicle repair, general"; vehicle storage must occur behind the principal structure and be screened from view from adjoining properties; all parking area are to be paved; off-site and portable signs are prohibited and any violation of the conditions of approval render the Conditional Use null and void. No one was present to speak in opposition, although an e-mail was received expressing concern regarding protection of groundwater, trash, landscaping maintenance and compatibility of the proposed use with existing businesses.

Motion --

Knight moved that having reviewed the record of hearing before the MAPC and in accordance with Policy No. 10 of the MAPC previously adopted by this Board, and having reviewed the factors contained therein and the factors stated by the MAPC, the zone change, subject to the additional recommended provisions of a Protective Overlay (P-O #91) District; be approved; and the Ordinance be placed on first reading. Motion carried 7 to 0.

-- carried

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended, introduced and under the rules laid over. ZON2001-00007

A01-05

A01-05 – REQUEST FOR ANNEXATION OF LAND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF 45TH STREET NORTH AND OLIVER. (District I)

Agenda Report No. 01-0406.

The City has received a request to annex approximately 71.3 acres situated at the southwest corner of 45th Street North and Oliver Street. The site abuts the City of Wichita to the north, west, and south. The City of Bel Aire is located immediately east of the site. The property owner is planning to develop the site with 175 single-family (SF-6) dwellings and 8 acres of Limited Commercial (LC) property. The staging of development has been planned over multiple years, with 100% of development projected to occur within 10 years.

This request was recently approved as an "island" annexation and was contested by the City of Bel Aire. Due to recent annexation by the City of Wichita of property adjacent to this site, the applicant is requesting that the original "island" annexation ordinance be repealed. The site is now eligible for annexation based on its adjacency to the City of Wichita.

Land Use and Zoning: The annexation site is presently in agricultural use and consists of one (1) undeveloped tract of land zoned "SF-20" Single Family Residential and "LC" Limited Commercial. Land north, south, and west of the site is also in agricultural production and is zoned "SF-6" Single Family Residential. The City of Bel Aire is located east of the site with single-family residential housing. Upon annexation, the "SF-20" Single Family Residential zoning of the subject property will convert to "SF-6" Single Family Residential. As prescribed in the Wichita Land Use Guide of the 1999 Update to the Comprehensive Plan, adopted last year by the City Council, this zoning change and proposed land uses would not be consistent with the industrial land use designation for this area west of Oliver.

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Public Services: Currently no City water and sewer lines serve the site proposed for annexation, and the developer has requested services be extended. The City Water and Sewer Department indicates that the subject property proposed for annexation will likely connect to a 16" water main along Oliver Street extended from 37th Street North to 45th Street North. For sewer, it is anticipated that the installation of a lift station would be required at the southwest corner of the site. Also, the construction of a 6-inch force main would be required from the lift station to an existing 10-inch sanitary sewer line located to the south and west of the Koch Industries complex.

Street System: The property proposed for annexation will have access to Oliver Street, which serves the area as the nearest major north-south road, and 45th Street North, which serves the area as the nearest major east-west road. Both streets are two-lane arterials. There are no plans to further improve these sections of road in either the 2001-2010 City of Wichita Capital Improvement Plan (C.I.P.) or the 2001-2005 Sedgwick County Capital Improvement Program (C.I.P.).

Public Safety: Under the City-County first response agreement, fire services to this site can be provided most readily, within a five (5) to six (6) minute approximate response time, from County Station #32 located at 501 East 53rd Street North. Upon annexation, police protection will be provided to the area by the Patrol North Bureau of the Wichita Police Department, headquartered at 3015 East 21st Street North.

Parks: Two parks and a greenway are located approximately two (2) miles southeast and southwest of the property proposed for annexation. Located southeast of the site, Chisholm Creek Park, a 281.90-acre regional park, features a 1.6 mile nature trail along Chisholm Creek, a wetlands area, and the Great Plains Nature Center. Located southwest of the site, Grove Park, a 125.85-acre regional park, contains a football field, basketball court, play area, and picnic area. The Chisholm Greenway, running along Chisholm Creek, connects Chisholm Creek Park and Grove Park.

School District: The property is located in Unified School District 259 (Wichita School District). Annexation will not change the school district.

Comprehensive Plan: The property is also located within the Wichita 2010 urban service area, as depicted in the 1999 Update to the Comprehensive Plan, adopted last year by the City Council. However, the Plan recommends industrial rather than residential land use.

The property proposed for annexation has not yet been platted. The total appraised value of the property is \$11,190, resulting in an assessed value of \$1,287. Using the current City levy (\$31.406/\$1000 x assessed valuation), this roughly yields \$40 in City annual tax revenues for the property. The future assessed value of this property will depend on the timing of development, the type of development, and the current mill levy. However, the applicant projects an overall appraised value of \$25,340,800 when development is completed, resulting in an assessed value of \$3,972,700. Assuming the current City levy remains about the same (\$31.406/\$1000 x assessed valuation), this would roughly yield \$124,767 in City annual tax revenues.

The capital cost to the City for sewer and water extensions is estimated at \$595,000. The petitioner will pay for the cost of an 8-inch water line across his frontage on Oliver, and will pay assessments for part of the cost of the sewer main extension as per City policy.

The property is eligible for annexation under K.S.A. 12-519, *et seq.*

Motion --
-- carried

Knight moved that the annexation be approved and the Ordinance be placed on first reading. Motion carried 7 to 0.

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ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, introduced and under the rules laid over. A 01-05

(Item No. 50)

Motion --

-- carried

Knight moved that this Item be deferred until after the annexation hearing on A 98-33. Motion carried 7 to 0.

(The Item was considered following the A 98-33 Annexation Hearing. Action is shown below. (Rogers absent))

A01-04

A01-04 – REQUEST FOR ANNEXATION OF PORTION OF 119TH STREET WEST, NORTH OF 21ST STREET NORTH. (District V)

Agenda Report No. 01-0407.

As part of an ongoing cooperative agreement with Sedgwick County, Staff periodically reviews streets at the periphery of the City to determine if certain arterial street segments should be annexed and maintained by the City of Wichita. Staff has determined that this section of 119th Street West should be annexed in conjunction with a proposed unilateral annexation by the City of eligible properties near 119th Street West.

The section of 119th Street West proposed for annexation abuts the City limits on the east, with the Cedar Downs subdivision, which lies to the immediate west, included in a larger unilateral annexation proposed in the area. On January 9, 2001 the City Council approved three (3) petitions for paving in the Cedar Downs area. Because this area is proposed for annexation, the annexation of the ½ mile of 119th Street West north of 21st Street will provide residents with uniform street maintenance after the unilateral annexation is approved.

The City Public Works Department estimates the annual maintenance costs of the street segment proposed for annexation to be \$3,700 per lane mile. The street segment proposed for annexation is a 2-lane arterial roadway, with an estimated annual maintenance cost of \$7,400.

In addition, the Sedgwick County 2000-2005 CIP contains a project to reconstruct 119th Street from 21st Street North to 53rd Street North (Project R-254), with construction scheduled for 2004 at a cost of \$2,000,000.

The property is eligible for annexation under K.S.A. 12-520.

Motion --

-- carried

Knight moved that the annexation be approved and the Ordinance be placed on first reading. Motion carried 6 to 0. (Rogers absent)

ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, introduced and under the rules laid over. A 01-04

AIRPORT AGENDA

AIRPORT

SUPPLEMENTAL AGREEMENT NO. 4 – B F GOODRICH AEROSPACE COMPANY.

Agenda Report No. 01-0409.

B F Goodrich entered into an agreement with the Wichita Airport Authority on August 1, 1995 for the purpose of housing their aircraft wheel and brake service center on Wichita Mid-Continent Airport. They currently occupy a 4,000 sq. ft. facility located at 2000 Airport Road.

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Staff is working with officials at B F Goodrich to construct a new facility on Wichita Mid-Continent Airport. Extension of the lease for a six-month period with one six-month renewal option will allow time to finalize these negotiations.

The subject facility was constructed in 1962. Prior to occupying this space, B F Goodrich invested \$60,000 to improve the facility. The rental rate established was \$4.00/sq.ft. In June, 1999 the facility was appraised by the Martens Companies at \$4.85/sq.ft. This rate became effective August 1, 1999 and generates \$19,400 per year in revenue. In view of the plans to construct a new facility on Mid-Continent Airport, B F Goodrich has requested that the existing rate be continued through the term of the extension. Staff concurs with this request.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

AIRPORT

FUEL FARM TANK LININGS.

Agenda Report No. 01-0410.

On September 12, 2000 City Council approved the specifications and authorized staff to advertise for bids. Bids were received on October 13, 2000 and rejected because they were in excess of the approved budget.

Federal Clean Air Act regulations have changed since the project was first designed and have caused the cost of the project to increase. It is necessary to pursue the project, as the fuel tank linings have deteriorated and need to be relined.

The project is estimated to cost \$143,000 which will be funded with General Obligation Bonds paid by airport revenues. This is an increase of \$58,000.

Motion --
-- carried

Knight moved that the budget be approved; the Resolution be adopted; and the necessary signatures be authorized. Motion carried 7 to 0.

RESOLUTION NO. A-01-003

A Resolution declaring that a public necessity exists for, and that the public safety, service and welfare will be advanced by the authorization of certain capital improvements to the Wichita Mid-Continent Airport Facility, and setting forth the nature of said improvements; the estimated costs thereof; and the manner of payment of same, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

AIRPORT

UTILITY IMPROVEMENTS – JABARA AIRPORT.

Agenda Report No.01-0411.

The 2001 Capital Improvements Program (CIP) includes utility improvements.

The airport plans to extend and make improvements to utilities located on the airport including extending utilities to hangar 20.

The project is estimated to cost \$150,000 and will be funded with General Obligation Bonds.

Motion --
-- carried

Knight moved that the project be approved; the Resolution be adopted; and the Staff Screening and; Selection Committee be authorized to select a design engineer.

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RESOLUTION NO. A-01-004

A Resolution declaring that a public necessity exists for, and that the public safety, service and welfare will be advanced by the authorization of certain capital improvements to Colonel James Jabara Airport; and setting forth the nature of said improvements; the estimated costs thereof; and the manner of payment of same, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

AIRPORT

WICHITA AIRPORT ADVISORY BOARD MEMBER TRAVEL.

Agenda Report No. 01-0412.

On March 5, 2001, the Wichita Airport Advisory Board approved the attendance of Board Member Tim Austin to the Spring Washington Conference, sponsored by Airports Council International-North America and the American Association of Airport Executives.

Aviation-related legislation will be discussed at this conference. The Wichita Airport Advisory Board feels it is important to their function to attend educational conferences. The Director of Airports is also attending.

Because of the number of City advisory boards, the budget precludes much travel and expense for out of town trips/meetings. For this reason, the City Council is the approving authority for travel by advisory board members. Since this is not a budgeted travel, a budget exception will be necessary. The current estimated cost of this travel is \$1,812.17, however, the airfare may increase prior to booking.

Motion -- carried

Knight moved that the travel be approved and the budget exception authorized. Motion carried 7 to 0.

RECESS

The City Council recessed at 11:45 a.m. and reconvened at 7:00 p.m.

Wichita, Kansas, March 20, 2001
Tuesday, 7:00 p.m.

The City Council met in recessed session at the Sedgwick County Extension Office, 7001 West 21st Street North.

Mayor Knight in the Chair. Council Members Cole, Gale, Lambke, Martz, Pisciotte; present. Council Member Rogers absent.

Chris Cherches, City Manager; Doug Moshier First Assistant City Attorney; Pat Burnett, City Clerk; present.

A98-33

A 98-33 - ANNEXATION OF PROPERTY GENERALLY LOCATED WEST OF 119TH STREET WEST, BETWEEN 9TH STREET NORTH AND 25TH STREET NORTH. (District V)

Marvin Krout

Director of Planning reviewed the Item.

Agenda Report No. 01-0374.

On January 9, 2001, the City Council adopted a resolution that established March 20, 2001, at 7:00 p.m. at the Sedgwick County Extension Center, 7001 W. 21st Street N, Wichita, Kansas as the date, time and place for a public hearing for this annexation. The properties proposed for annexation are located from the north of 21st Street North to the south of 13th Street North and west of 119th Street West.

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The area proposed for annexation is the first phase of a two-phase annexation initiative. The area consists of West Meadows Addition, Burchfiel Second Addition, Cedar Downs First and Second Additions and Whistling Walk Estates First, Second, Third and Fourth Additions, plus several unplatted tracts. The described area comprises approximately 315 acres and 136 properties (106 platted and 30 unplatted). The land use pattern of the area to be annexed is a mix of single-family residential development and undeveloped land held in floodway reserves. The entire area is zoned "SF-20" Single-Family Residential which will convert to the "SF-6 Single-Family Residential district upon annexation.

The majority of the land proposed for annexation is located within the area identified as "low-density residential", with a small "commercial" area at the intersection of 21st Street North and 119th Street West, according to the 1999 Update to the Wichita-Sedgwick County Comprehensive Plan: *Preparing for Change*. Additionally, the proposed annexation area is located within the "2010 Urban Service Area" boundaries found in the Comprehensive Plan amendments.

An informational meeting regarding the proposed annexation was held on February 20, 2001 at the Sedgwick County Extension Center, 7001 W. 21st Street North. Thirty-four (34) property owners and interested citizens attended the meeting and asked numerous questions regarding the proposed annexation.

In accordance with Kansas statutes, a Service Extension Plan was prepared for this unilateral annexation. The Plan describes the means by which City services will be extended to the area. Map No. 2 in the Plan shows the properties proposed for annexation. The analysis of the proposed annexation is contained in the plan.

The total appraised value of the land and improvements proposed for annexation is \$17,050,680 resulting in an annual City *Ad Valorem* tax revenue of approximately \$61,003.

Major municipal services to be provided to this area upon annexation are street maintenance, ditch cleaning, culvert cleaning, fire protection, police protection, building code enforcement, and health code enforcement. The operating departments currently delivering these services will fund them upon annexation. Major municipal services, such as local street improvements, water and sewer service, may be provided to this area upon request of the property owners. The cost of municipal services requested by the property owners will be distributed among the City at large and the benefiting property owners according to current City policies.

The Service Extension Plan has been on file for public inspection in the Office of the City Clerk. Copies of the resolution establishing the public hearing, a map (showing the properties included) and a notice of the public hearing, were sent by certified mail to all property owners of record in the proposed annexation area and to other established governmental entities and utility services. Copies of the resolution and map have also been published in the official City newspaper as further notification of the scheduled public hearing.

The Metropolitan Area Planning Commission reviewed the proposed annexation for compatibility with the Comprehensive Plan on February 8, 2001. The staff report presented at the MAPC meeting indicated that the proposed annexation was in conformance with the Comprehensive Plan. The MAPC found the proposed annexation in conformance with the Comprehensive Plan by a vote of ten to zero (10-0).

In conducting the public hearing, Kansas statutes require that the City's plan for extending major municipal services be presented and that all persons interested in the annexation be heard. After hearing all comments of the persons interested, the City Council has the option of continuing or closing the public hearing, and approving or rejecting the annexation proposal.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard.

Raymond J. Van Skiver

Raymond J. Van Skiver, 2220 N. Cedar Crest Drive, spoke against the annexation and said the City had no authority to annex the area.

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Alma Van Skiver Alma Van Skiver, 2220 N. Cedar Crest Drive, spoke against the annexation.

Vincent Wesolowsky Vincent Wesolowsky, 2400 N. Wheatridge Drive, spoke against the annexation and said he could see no benefit from being annexed.

Sam Eberly Sam Eberly, 12807 W. 21st, asked that the City not annex the 4.6 acres of his property at this time. When and if it is to be annexed, he would like his property kept together and to be annexed at one time.

Motion -- Martz moved that the public hearing be closed; the annexation be approved excluding the property described as "beginning 80 feet south and 165 feet east of the NW corner of the NE ¼ of Sec 12, TWP 27-S, R-2-W of the 6th P.M., Sedgwick County, Kansas; thence south 1243.43 feet; thence east 164.11 feet; thence north 1243.43 feet; thence west 165 feet to beginning as designated on the corresponding Sedgwick County quarter section sheet as AT-69-1; and excluding the portion of 21st Street West of the East Line of this parcel; and the Ordinance be placed on first reading. Motion carried 7 to 0.

-- carried

ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, introduced and under the rules laid over. A98-33

(The Council then returned to take up Annexation Case A01-04. Action is shown in Agenda order.)

ADJOURNMENT The City Council meeting adjourned at 7:45 p.m.

Pat Burnett CMC
City Clerk